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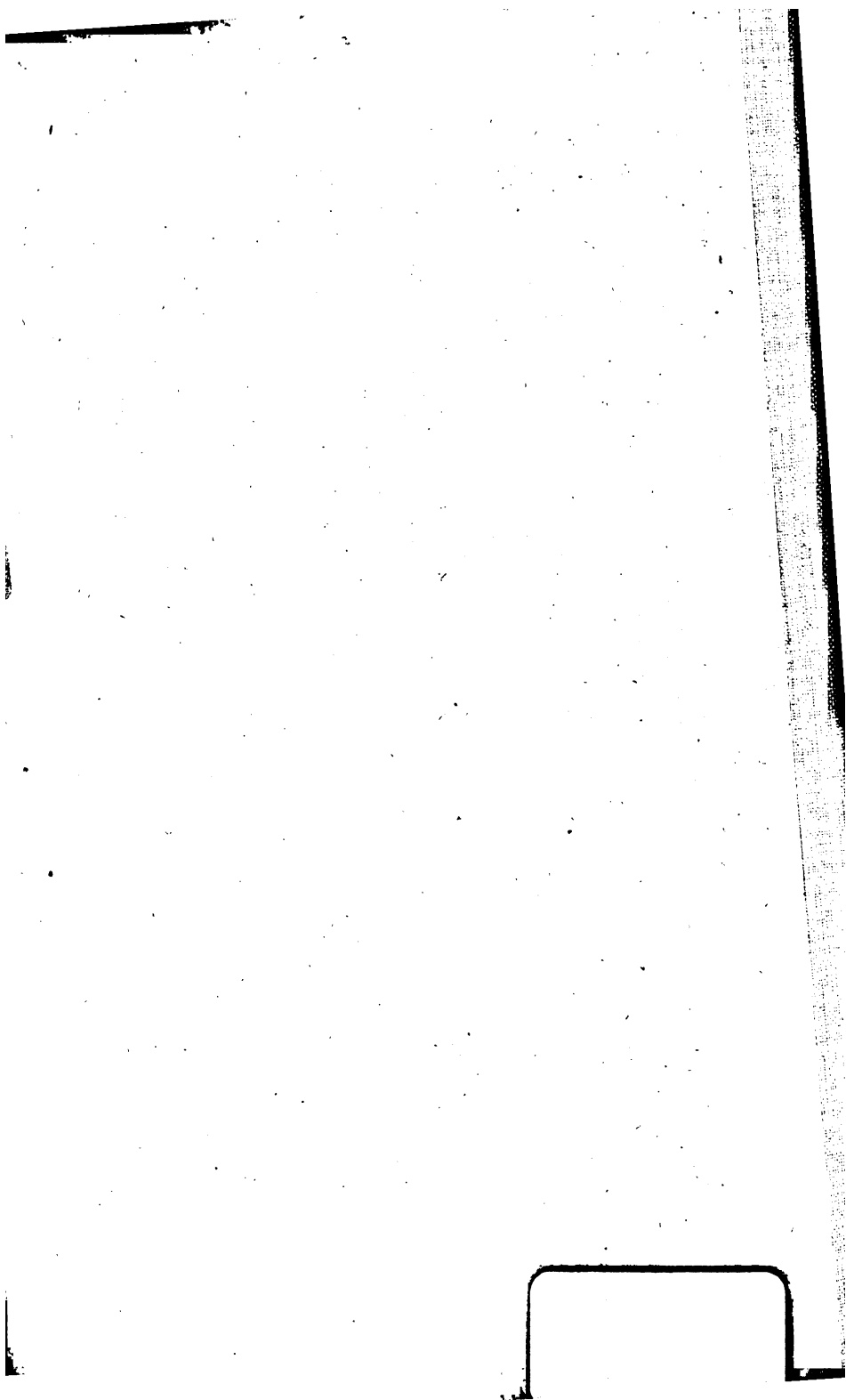
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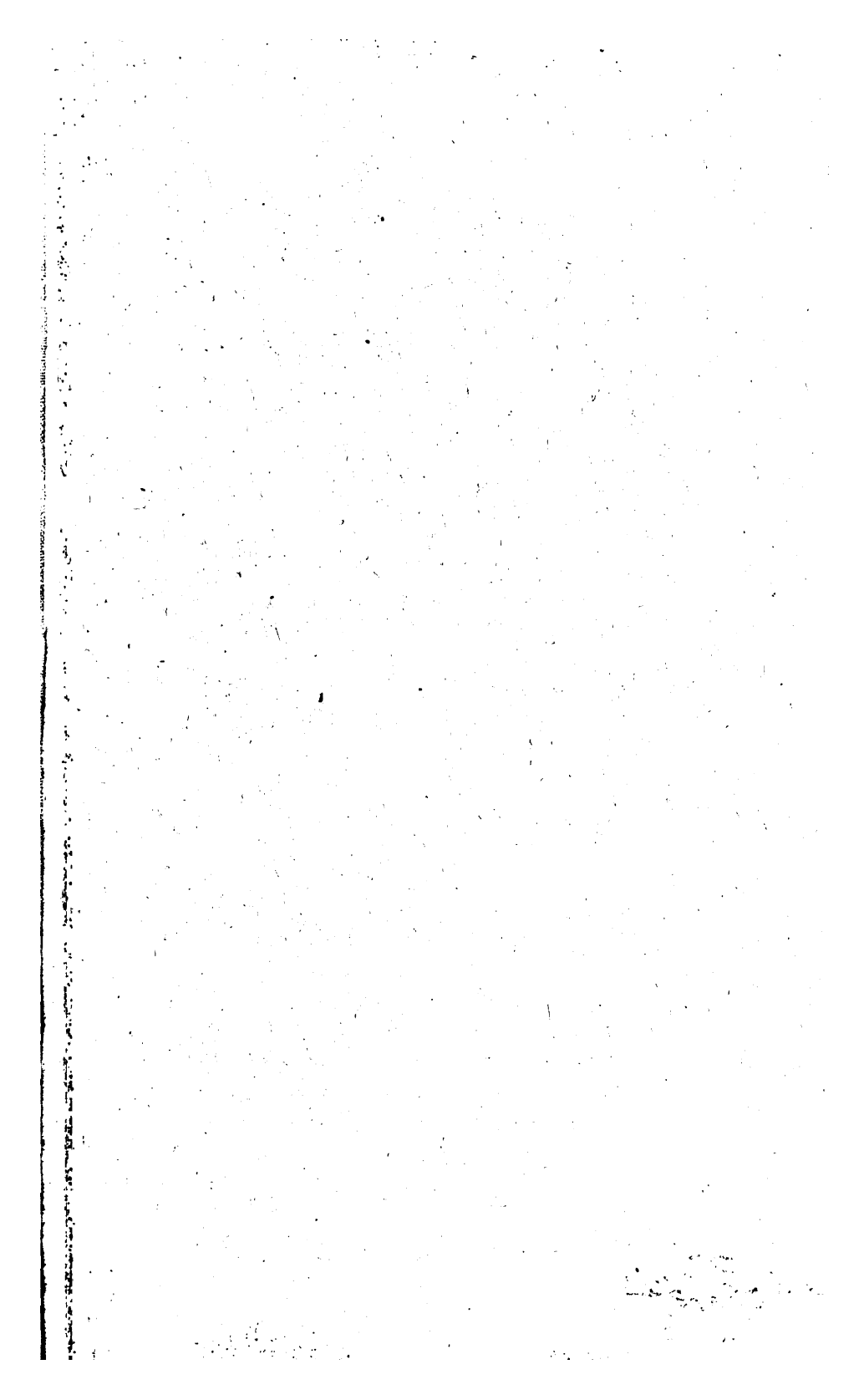
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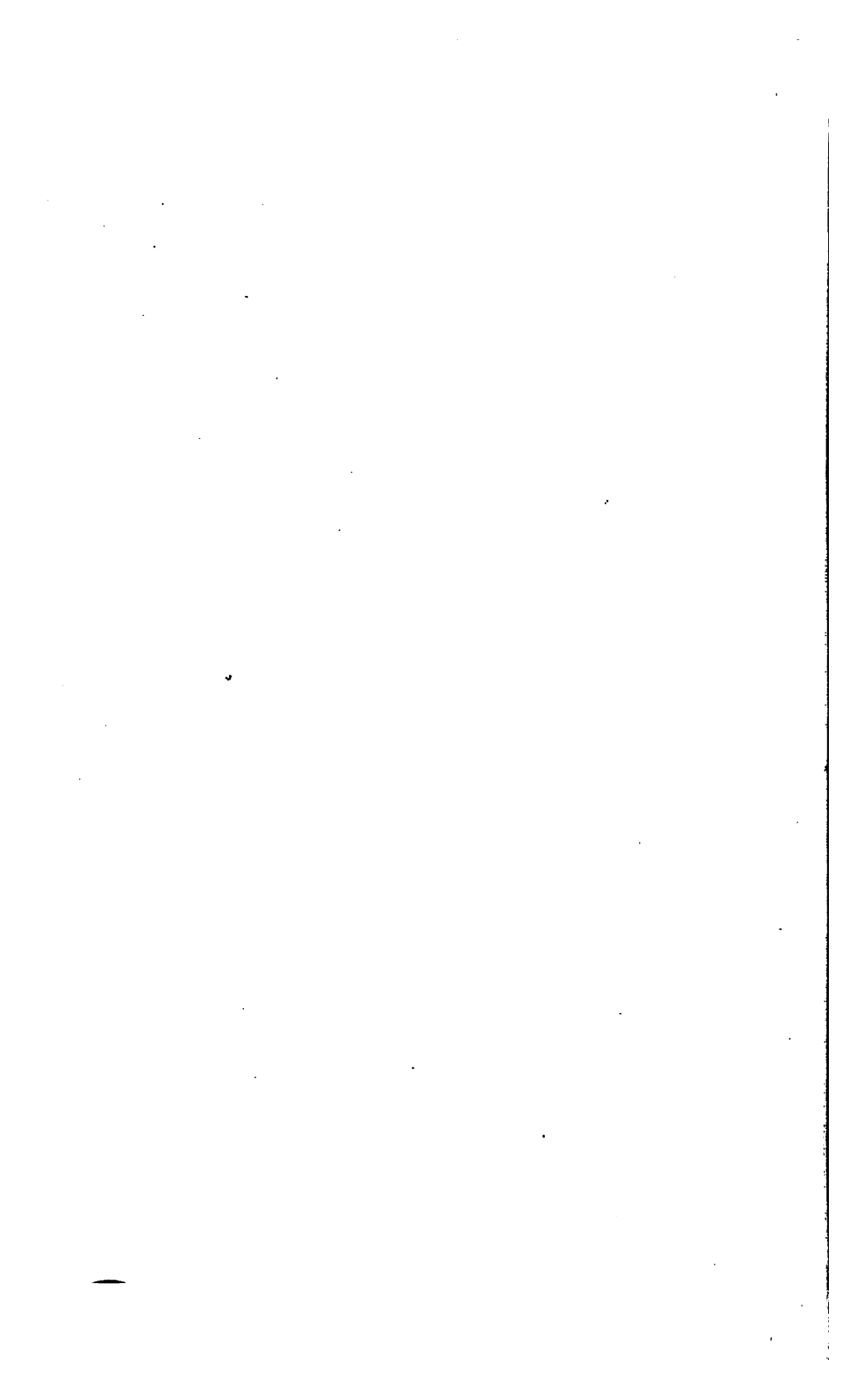
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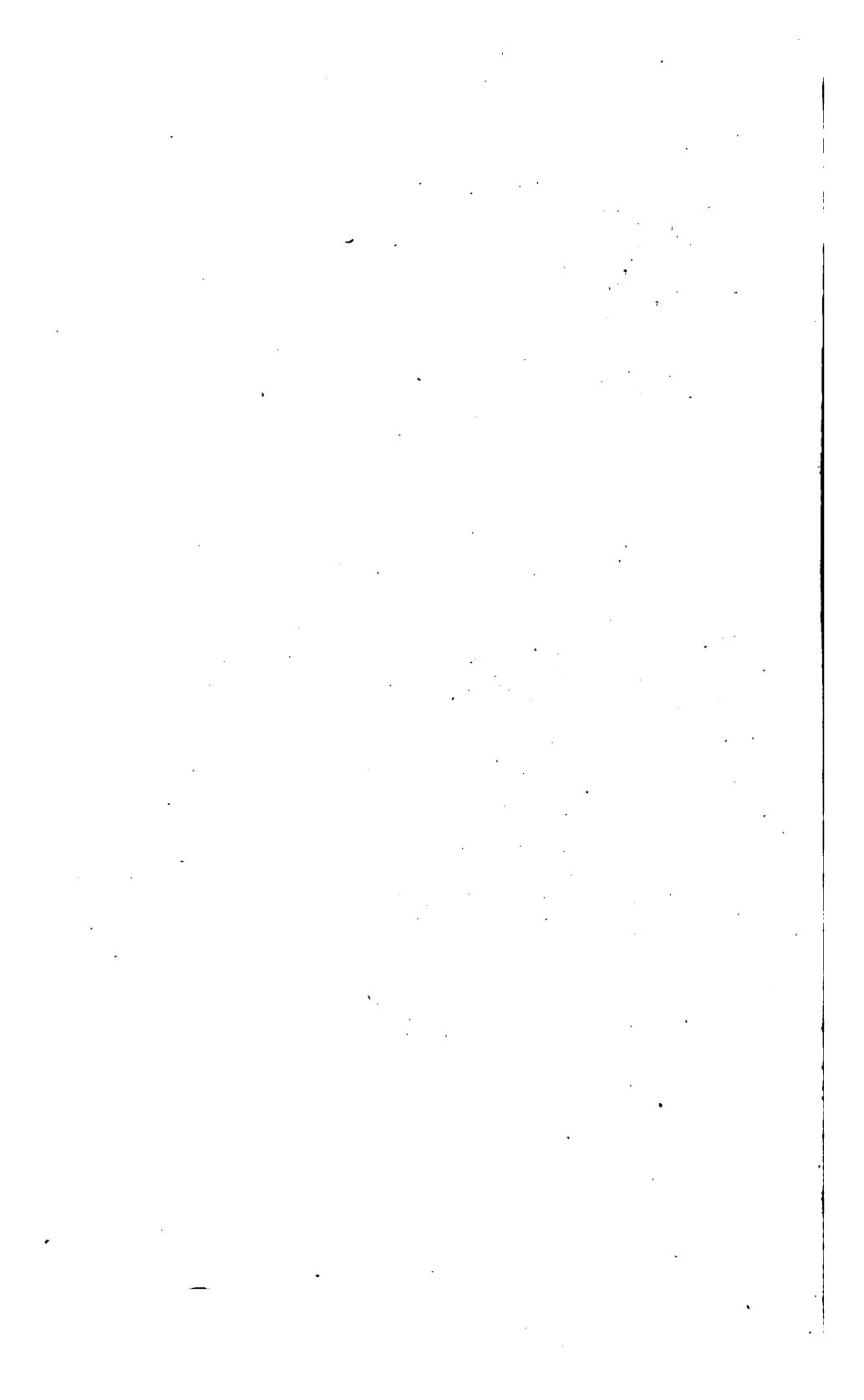








Great Britain  
Statutes.





*Great Britain. Statutes*

THE  
INDUSTRIAL AND PROVIDENT  
SOCIETIES ACT, 1893.

PUBLISHED BY DIRECTION OF  
THE CO-OPERATIVE UNION.

WITH AN  
INTRODUCTION  
BY  
J. C. GRAY,  
GENERAL SECRETARY.

MANCHESTER:  
PUBLISHED BY THE CO-OPERATIVE UNION LIMITED, LONG MILL GATE.

1894.

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# THE INDUSTRIAL AND PROVIDENT SOCIETIES ACT, 1893.

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## INTRODUCTION AND EXPLANATORY NOTES.

FOLLOWING the practice which was adopted in regard to the Industrial and Provident Societies Act, 1876, the United Board have thought it desirable to issue the new Act of 1893 in a form which will facilitate reference by societies, together with some instructions as to its provisions and requirements relating to the administration of societies.

The Industrial and Provident Societies Act, 1893, which came into force on the 1st January, 1894, is the result of action taken by the Central Board of the Co-operative Union, for the purpose of amending the Act of 1876 on the lines of experience gained in the actual working of co-operative societies.

The Congress of Rochdale authorised the Central Board to prepare such a Bill, and the Bristol Congress confirmed that action.

## PREVIOUS LEGISLATION RELATING TO INDUSTRIAL AND PROVIDENT SOCIETIES.

By the kindness of E. W. Brabrook, Esq., Chief Registrar of Friendly Societies, we are enabled to give the following summary of past legislation affecting Industrial and Provident Societies :—

The Friendly Societies Act, 1834 (4 and 5 William IV, c. 40), allowed of the formation of societies for any "purpose which is not illegal." The Friendly Societies Act, 1846 (9 and 10 Vict., c. 27), allowed of the establishment of societies "for the frugal investment of the savings of the members, for better enabling them to purchase food, firing, clothes, or other necessities, or the tools or implements of their trade or calling, or to provide for the education of their children or kindred." The Friendly Societies Act, 1850 (13 and 14 Vict., c. 115), contained the like provision. The Industrial and Provident Societies Act, 1852 (15 and 16 Vict., c. 81), commonly called Mr. Slaney's Act, and founded on the report of the committee on the savings of the middle and working classes, 1850 (of which he was chairman), made further provision for such societies. It was amended by the Industrial and Provident Societies Act, 1854 (17 Vict., c. 25), and the Industrial and Provident Societies Act, 1856 (19 and 20 Vict., c. 40). These Acts were consolidated and amended by the Industrial and Provident Societies Act, 1862 (25 and 26 Vict., c. 87). This Act was amended by the Industrial and Provident Societies Act, 1867 (30 and 31 Vict., c. 117), and by the Industrial and Provident Societies Act, 1871 (34 and 35 Vict., c. 80). These Acts were consolidated and amended by the Industrial and Provident Societies Act, 1876 (39 and 40 Vict., c. 45), which Statute is practically re-enacted with some important amendments by the present Act.

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## THE INDUSTRIAL AND PROVIDENT SOCIETIES ACT OF 1893.

In this introduction the Act is referred to by the number of its Sections, and by the order in which they appear.

### SECTIONS 1 AND 2.—*Title and Extent.*

These sections specify the title of the Act, and state when it comes into operation, and how far it extends.

### SECTION 3.—*Existing Societies.*

This section brings under the control of the new Act *all existing societies* which have been registered under *any* previous Act relating to Industrial and Provident Societies.

### SECTION 4.—*Objects for which a Society may be formed.*

Under the Act of 1876 societies could only be registered for the purpose of carrying on any *labour, trade, or handicraft*. By the provisions of the new Act power is given to register societies for carrying on any *industries, businesses, or trades* authorised by their rules, thus giving greater latitude as regards the purposes for which a society may be registered. This section also limits the interest to be held by any individual in the *shares* of the society to £200 sterling. This limitation does not debar societies from taking, and individuals from holding, *loans* beyond this amount.

### SECTION 5.—*How to Register a Society.*

CLAUSE (1). Society must have at least seven members.

CLAUSE (2). Form of application (see Form A, pages 132, 133, and 134) to be obtained from the Registrar [or from the Co-operative Union], then to be filled up and signed by seven members and the secretary, and sent with two copies of the rules of the society for registration.

CLAUSE (3). The name chosen for the society must not be identical with or closely resemble that of any other society.

CLAUSE (5). The word "limited" must be the last word in the name of the society.

CLAUSE (6). A society must be registered in that part of the United Kingdom in which its registered office is situate, *i.e.*, England and Wales, Scotland, or Ireland, but if a society intends to carry on business in more than one part, its rules should also be recorded by the Registrar of the other part.

The names and addresses of the Registrars are as follows:—

ENGLAND AND WALES.—E. W. Brabrook, Esq. (Chief Registrar), J. D. S. Sim, Esq. (Assistant Registrar), 28, Abingdon Street, Westminster, London, S.W.

SCOTLAND.—R. Addison Smith, Esq., 48, New Register House, Edinburgh.

IRELAND.—D. O'C. Miley, Esq., 16, Dame Street, Dublin.

**SECTIONS 6, 7, AND 8.—*Acknowledgment or Refusal of Registry.***

These sections provide that the Registrar shall issue an acknowledgment or certificate of registry to all societies complying with the provisions of the Act, and in the event of his refusal to issue such acknowledgment the applicants for registration are given the right of appeal to the courts. The acknowledgment of registry is given in the following form, and should be carefully preserved, as it is conclusive evidence of a society's corporate existence:—

**“ACKNOWLEDGMENT OF REGISTRY OF SOCIETY.**

“The \_\_\_\_\_ LIMITED is registered under the Industrial and Provident Societies Act, 1893, this \_\_\_\_\_ day of .....

[Seal or stamp of Central Office, or signature of Assistant Registrar for Scotland or Ireland.]”

**SECTION 9.—*Cancelling and Suspension of Registry.***

The registration of a society may be cancelled or suspended—

- (a) If at any time the number of its members is reduced below seven; or if such registration has been obtained by fraud or mistake:
- (b) If the society requests it, on such evidence as the Registrar may require; or
- (c) If the society is proved to exist for an illegal purpose, or if it violates any of the provisions of the Act.

A society whose registration is cancelled or suspended ceases to enjoy any of the privileges or the protection of the Act, and its members incur an unlimited liability for its debts.

**SECTION 10, CLAUSE (1).—*What the Rules must contain.***

The rules must contain provisions for all matters mentioned in Schedule II. of the Act, as follows :—

**MATTERS TO BE PROVIDED FOR BY THE RULES OF SOCIETIES REGISTERED UNDER THIS ACT.**

1. Object, name, and registered office of the society.
2. Terms of admission of the members, including any society or company, investing funds in the society under the provisions of this Act.
3. Mode of holding meetings, scale and right of voting, and of making, altering, or rescinding rules.
4. The appointment and removal of a committee of management, by whatever name, of managers or other officers, and their respective powers and remuneration.
5. Determination of the amount of interest, not exceeding two hundred pounds sterling, in the shares of the society which any member other than a registered society may hold.
6. Determination whether the society may contract loans or receive money on deposit, subject to the provisions of this Act, from members or others; and, if so, under what conditions, on what security, and to what limits of amount.
7. Determination whether the shares or any of them shall be transferable, and provision for the form of transfer and registration of the shares, and for the consent of the committee thereto; determination whether the shares, or any of them, shall be withdrawable, and provision for the mode of withdrawal and for payment of the balance due thereon on withdrawing from the society.
8. Provision for the audit of accounts and for the appointment of auditors or a public auditor.
9. Determination whether and how members may withdraw from the society, and provision for the claims of the representatives of deceased members, or the trustees of the property of bankrupt members, and for the payment of nominees.
10. Mode of application of profits.

11. Provisions for the custody and use of the seal of the society.

12. Determination whether, and by what authority, and in what manner, any part of the capital may be invested.

The statutory duties of the society should also be set forth in the rules for the information of the members.

In regard to the matters above-mentioned it should be observed that—

I. Any society registered under the Industrial and Provident Societies Act may hold shares in another society if the rules of the society in which the investment is proposed to be made permit, and to any extent specified in such rules; but a joint-stock company or other body corporate cannot hold more than £200, which is also the limit fixed for individual members.

II. A society may contract loans in any manner specified in its rules, and up to any limit stated therein. It should be understood, however, that there is a great distinction between *loans* and *deposits*. Loans can only be received where the conditions of repayment are secured either by agreement, bond, mortgage, or other legal form. Deposits at call can be dealt with only within such limits as are fixed by Section 19 (8), and provision must be made in the rules for dealing with such deposits.

Societies should make their rule regarding loans as wide as possible. An *agreement* is the simplest and easiest form of security; but this can only be used where the rules of a society permit it. For the guidance of societies the following model regulations for a loan department, together with a form of loan agreement, are inserted here:—

#### MODEL REGULATIONS FOR THE CONDUCT OF A LOAN DEPARTMENT.

Co-operative Society Limited.

#### REGULATIONS OF LOAN DEPARTMENT.

1. Loans may be received either from members or non-members.



2. Each lender shall pay sixpence for a pass book, containing a printed loan agreement, signed by two members of the committee in the name of the society, and by the lender, and having a 6d. agreement stamp, also containing a printed copy of these regulations, in which shall be entered all loans and repayments.
3. Not more than £            shall be received from any lender in any year, commencing the            day of each            and no account shall exceed £            exclusive of interest.
4. A receipt stamp shall be affixed to all receipts or payments of £2 and upwards, in the case of receipts at the cost of the society, and in that of payments of the lender.
5. Interest at the rate of £            per annum shall be paid (half-yearly or quarterly) on such days as the general meetings of the society fix from time to time, on each sum of £1 each calendar month in each (half year or quarter) during which it has continued in account.
6. Notice shall be given of all withdrawals, according to the scale hereto annexed. All sums so withdrawn shall be payable in the week succeeding the termination of the notice ; but the committee, at their discretion, may pay any sum of which notice of withdrawal has been given at any time after the receipt of such notice.
7. All notices shall be in the form hereto annexed, and shall be made or entered in a book kept by the secretary, as the committee direct.
8. No payment shall be received or made without the production of the loan book. Lenders must attend personally, if possible, when any money is to be withdrawn.
9. If a loan book is filled with entries it shall be delivered to the secretary of the society, that the balance may be transferred to another book, for which the lender shall pay sixpence.
10. The society shall be in no way affected by any writing or mark made in any loan book, except it is made by the secretary of the society or some person acting under his authority.
11. The loan book must be preserved intact, and if lost, torn, or cut, shall be replaced at the cost of the lender ; and when an account is closed shall be given up to the society.

## FORM OF NOTICE OF WITHDRAWAL.

The

Co-operative Society Limited.

18

I hereby give notice to withdraw £                      on my loan  
account with the above-named society.

Signature.

## SCALE OF NOTICE REQUIRED.

Any sum up to £5, two weeks ; exceeding £5 and not over  
£10, four weeks ; and four weeks' additional notice for  
every further sum of £10, or fraction thereof.

N.B.—Loans will be received and paid every  
between                      and                      unless notice is given to  
the contrary.

The secretary has charge of the accounts, and will see that  
proper attendance is given at the times appointed for  
receipts and payments.

## LOAN AGREEMENT.

No. \_\_\_\_\_

The

Co-operative Society Limited.

This agreement, made the                      day of  
between the above-named society, of the one part, herein  
called the society, and  
of                      herein called  
the lender, which name shall include the executors,  
administrators, or assigns of such lender, witnesses as  
follows :—

1. In consideration of the moneys to be paid to the society  
by the lender from time to time, the society agrees with  
the lender—

(1). On any demand of the lender made in accordance  
with the regulations, forms, and scale of notice con-  
tained in this loan book, to pay the lender the sum

so demanded, not exceeding the balance appearing to be due upon the account contained in such book, or in any like book similarly numbered and signed issued in replacement thereof;

(2). To pay interest upon the balance of principal money appearing to be due to the lender on such account, after the rate and in the manner mentioned in such regulations;

(8). In the event of any default being made in any such payment, to pay the lender on demand the balance then due upon the said account for principal and interest, with all costs or expenses whatsoever which the lender may be put to by reason of such default.

2. In consideration of the above agreements, the lender agrees with the society to be bound by all the regulations contained in the loan book now issued :

In witness whereof the undersigned members of the committee of management of the society, in its name and by its authority, and the lender, have set their hands the year and day first aforesaid.

_____	}	Members of the Committee.
_____		
_____		

\_\_\_\_\_ Lender.

Witness to the above signatures,

\_\_\_\_\_

No.

Ledger Folio.

The \_\_\_\_\_ Co-operative Society Limited,

In account with \_\_\_\_\_  
of \_\_\_\_\_

189	Cash Paid.	Cash Withdrawn.	Balance due by Society.	Signature and Stamp where needed.

It is not necessary to include the detailed regulations of the loan department in the registered rules of the society, it will suffice to have them printed in the loan pass books issued to the lenders.

Societies whose rules do not permit of "agreements" being used, may find it convenient to adopt the following form of "bond":—

**FORM OF BOND TO BE GIVEN BY A SOCIETY AS SECURITY  
FOR A LOAN.**

Know all men by these presents, that the above-named society is firmly bound to \_\_\_\_\_ of \_\_\_\_\_ in the county of \_\_\_\_\_ hereinafter called the obligee, [his or her] executors or administrators, in a sum equal to double the amount, to be ascertained as is provided by the condition hereof, for which payment to be truly made to the obligee, [his or her] executors or administrators, or their certain attorney, the said society binds itself by these presents, sealed with its seal.

Dated the \_\_\_\_\_ day of \_\_\_\_\_ 18



\_\_\_\_\_  
Secretary.

Whereas the obligee has opened with the said society a loan account, upon the terms stated in the notice signed by the secretary of the said society, contained in the loan book hereto annexed. Now the condition of the above-contained bond is, that if the said society pays to the obligee, or the executors or administrators of such obligee, from time to time so long as such account continues open, on any demand made as is provided by such notice, such sum as is so demanded, not exceeding the amount then due to the obligee on the said account for principal and interest after such rate as is stated in the said notice, then this bond shall be void, but otherwise shall remain in full force for double the sum due on such account when the demand is made.

Sealed and delivered in the presence of

_____	}	Members of the Committee of Management.
_____		

III. The manner in which the profits are to be disposed of must be *specified in the rules*, or, otherwise, it must be stated in what manner the appropriation shall be determined.

As societies have experienced much difficulty in dealing with their profits to the fullest extent and with the utmost freedom permitted by the Act, and as such difficulties have mainly been created by the faulty construction of societies' rules, we recommend the adoption of the following rule, which has been drawn up with a view to meet contingencies of every kind. It will be seen that the plan recommended in this rule is to appropriate a portion of the profits to a *Reserve Fund* from which charitable and other grants may be made by the members on due notice, as occasion may arise. Of course societies can leave out of this rule any portion which does not meet their requirements:—

MODEL RULE *RE* PROFITS.

[Providing that all special grants shall be made from the reserve fund.]

Rule .—The profits of all business carried on by or on account of the society shall be applied as follows :—

- (1). In payment of the interest upon any loans or deposits and the dividend on preferential shares according to the rates respectively agreed to be paid.
- (2). In reduction of the value of the fixed stock and plant of the society, at the annual rate of 10 per cent on fixtures and of  $2\frac{1}{2}$  per cent on shops, warehouses, and buildings.
- (3). In the reduction of the preliminary expenses (if any) incurred in forming the society, and remaining unwritten off in its books, at such rate, being not less than 5 per cent per annum, as the ordinary business meetings on the recommendation of the committee from time to time direct.
- (4). In payment of a dividend upon the share capital of the society, at such rate, not exceeding 5 per cent per annum, as the ordinary business meetings may from time to time direct.
- (5). In forming, by applying such percentage of the net profits as the committee or general meeting determine, a reserve fund, to which all fines shall be carried, applicable, by a resolution of the ordinary business meetings, on the proposal either of the committee or of a member, and in regard to which notice has been given on the balance sheet—
  - (a) To the equalisation of dividends ;
  - (b) To meet any other contingency affecting the business of the society ;
  - (c) To any other purpose which the general meetings may from time to time direct, whether such purpose be charitable, philanthropic, of public utility, or any other purpose whether within the objects for which the society is formed or not.

- (6). In promoting instruction, culture, or recreation, by forming an education fund, to which  $2\frac{1}{2}$  per cent of the net profits, or such other sum or percentage as any ordinary business meeting may resolve shall be carried.
- (7). In paying, while the society continues a member of the Co-operative Union, such subscription to its funds as the rules and orders of the Union fix.
- (8). In promoting any other social or provident purpose authorised by any special general meeting, or any two successive ordinary business meetings, by applying thereto such sums as the ordinary business meetings may vote.
- (9). The remainder of the net profits left, after providing for the preceding charges, shall be divided between—
  - (a) The members who have made purchases of the society during the period to which the division relates, according to the amount of their purchases ;
  - (b) The non-members who have made purchases of the society during such period, according to the amount of their purchases, provided that the sum so divided shall not exceed one-half of the sum to which they would be entitled as members ;
  - (c) The employes of the society at such rate, not less than  $\frac{1}{4}$ d. in the £ on the gross sales, and  $\frac{1}{4}$ d. in the £ on net profits, as the ordinary business meetings fix, to be divided among them as such meetings direct.
- (10). All dividends not withdrawn within one calendar month after they become receivable, shall be applied in or towards the payment of shares, which shall be subject to the same conditions as to withdrawal as are in force in respect to all other shares, and shall be credited to the members respectively in the books of the society until the number of shares held by any member reaches the limit allowed by the Act, or such inferior limit as the society may direct, after which they shall be credited to such members as loans, withdrawable on such notice, not

less than one calendar month, as the committee may determine from time to time. No fine shall be charged in respect of any share so placed to the credit of any member.

IV. The rule relating to the power of investment should be very carefully drafted, in view of the extended provisions contained in Sections 38, 39, and 40, of this Act. The following rule is recommended for adoption by societies. It includes the extended powers of the new Act, and also provides for making advances to members :—

#### MODEL RULE *RE* INVESTMENTS.

Rule .—*Power to Invest Surplus Capital.*—The committee may invest any part of the capital of the society as follows :—

- (1). In advances to members on the security of real or personal property; and
- (2). In or upon any security in which trustees are for the time being authorised by law to invest; and
- (3). In or upon any mortgage, bond, debenture, debenture stock, annuity, rentcharge, rent, or other security (not being securities payable to bearer) authorised by or under any Act of Parliament passed or to be passed of any local authority as defined by Section 84 of the Local Loans Act, 1875; and
- (4). In the shares or on the security of any other society registered or deemed to be registered under the Act, or under the Building Societies Acts, or incorporated by Act of Parliament or by Charter, provided that no such investment be made in the shares of any society or company other than one with limited liability; and
- (5). If the society is not chargeable with income tax in pursuance of the Act, in any savings bank.

Rule .—*Power to Vote in respect to Investments.*—The society may appoint any one or more of its members to vote on its behalf at the meetings of any other body corporate in which the society has invested any part of its funds, although such member or members may not personally be shareholders in such other body corporate. (See the Act, Section 41.)



V. The following matters must also be provided for by the rules, if the society intends to use the powers given it in respect of them. These are :—

- (a) Whether disputes between members and the society shall be decided by a court of summary jurisdiction or by arbitration, as is allowed by Section 49, and if so, in what manner the arbitrators shall be appointed ;
- (b) The making advances to members on real or personal security, under Section 40 ;
- (c) The vacating mortgages by a receipt endorsed, under Section 43 (1), if any form other than that given by the Act is intended to be used ;
- (d) The requiring officers to give security under Section 47 ;
- (e) If the society has transferable capital only, and intends to carry on the business of banking, provision for keeping the half-yearly statement required by Section 19 (2) hung up in the registered office or other place of business ;
- (f) If it is intended to extend the right of inspection beyond that specified in Section 17 (2), in accordance with the provisions of Section 17 (8), a rule should be made for this purpose in which should be mentioned the books or accounts to which the right of inspection shall extend.

VI. The Co-operative Union has prepared a set of Model Rules, which comply with the requirements of the Act of Parliament, and contain provisions on all matters on which societies are likely to require guidance. It would save much trouble and expense to societies about to be formed if the promoters of such societies would in all cases apply to the Co-operative Union, 69, Corporation Street, Manchester, for permission to use these rules, which have been examined by the Registrar, and would be registered without delay.

**SECTION 10, CLAUSES (2) AND (8).—*Amendments of the Rules.***

- (1). No amendment of rule is valid until it is registered.
- (2). After a special meeting has been duly held to pass an amendment of rule, application should be made to the Registrar [or to the Co-operative Union] for a form to

enable the society to make formal application, as required by the Treasury Regulations. There are two of these forms:—

The 1st for a partial amendment of the rules. (See Form B, pages 184 and 185.)

The 2nd for a complete amendment, that is, the substitution of new rules for the existing rules. (See Form C, pages 185 and 186.)

In applying for the proper form it will, therefore, be necessary to state for which purpose it is required.

(3). In the first place the applications must be accompanied by—

- (a) A copy of the existing rules marked so as to show where the alterations occur, and what they are;
- (b) Two printed or written copies of the amendments, each marked with the letter O, and signed by the secretary and *three* members of the society;
- (c) A declaration made by the secretary before a justice of the peace of the county where the registered office of the society is situate, stating that the amendment submitted for registration has been duly made by the society, and that to the best of his knowledge and belief the same is not contrary to the provisions of the Act in that behalf.
- (d) The fee of ten shillings prescribed by the Treasury Regulations.

(4). In the second case the form of application is similar to that for the original registration of rules, and must be filled up in the same manner by stating the new rules which make provision for the different matters required to be contained in the rules. The application must be accompanied by—

- (a) A printed copy of the registered rules;
- (b) Two printed copies of the amendments, each marked with the letter P, and signed by the secretary and *three* members of the society;
- (c) A declaration as in the case of a partial amendment;
- (d) The fee of ten shillings as prescribed by the Treasury Regulations.

- (5). If the amendments are not contrary to any of the provisions of this Act, the Registrar will issue an acknowledgment of registry similar in form to that given on the registration of the original rules.

Whenever a society desires to amend its rules, either partially or wholly, it is essential that the conditions of its existing rules should be strictly observed.

It will be found in the rules of every society that such rules cannot be altered or amended except by observing certain conditions and formalities therein set forth.

It is requisite to call a special meeting of the members, of which due notice specifying the exact nature of the business to be transacted is to be given, and any amendment or alteration of rule must be agreed to by such majority as is required by the rules.

When an amendment has been duly passed by the necessary majority at a special meeting of the society, two copies of the same should be sent to the Registrar accompanied by Form B or C (previously referred to) as the case may be, and with these documents there should also be forwarded a fee of 10s. for registration.

#### SECTION 10, CLAUSE (8).—*Supplying Copy of Rules.*

A society is required to supply a copy of its rules to every person on demand, at a price not exceeding 1s.

#### SECTIONS 11, 12, 13, 14, 15, 16.—*Duties of Societies.*

A society is required—

- (1). To have a registered office, and send to the Registrar notice of every change in it;
- (2). To keep its name painted or affixed on the outside of every place where its business is carried on, and mention it in all documents issued by it, and also to have it engraven in legible characters on its seal;

- (3). To have its accounts audited at least once a year, either by a public auditor or auditors appointed under its rules;
- (4). On or before the *31st of March* in each year to send to the Registrar an annual return of its receipts and expenditure, funds and effects;
- (5). To supply gratuitously to every person who has an interest in its funds a copy of its last annual return;
- (6). To keep a copy of the last balance sheet, with auditors' report, always hung up;
- (7). To supply copies of rules as required by Section 10 (4).

N.B.—*The Annual Return*.—It should be specially noticed that the last day for sending in the annual return is March 31st, and not June 1st as formerly.

#### SECTION 17.—*Inspection of Books by Members.*

- (1) and (2). Notwithstanding anything in the existing rules of societies, at the time when this Act comes into force (January 1st, 1894), the right of inspection by a member or person having an interest in the funds of a society extends only to his own account and to the books containing the names of the members.
- (3). But a society may, by a rule registered subsequent to this Act coming into force, authorise the inspection of any or all of its books, but all books intended to be open for inspection must be mentioned in the rule and the conditions under which they may be inspected must be stated.

#### SECTION 18.—*Inspection of Books by Order of Registrar.*

This section enables any ten members of a society, who have been members for at least twelve months, to make application to the Registrar for the appointment of an actuary or accountant to inspect the books of the society and to report thereon. Under the provisions of the Act of 1876 any person having an interest in the funds of the society could demand to inspect every book of the society.

This privilege of unlimited inspection had become much abused, and was often used not so much for the general good of a society as from self-interested motives, and for the satisfaction of a member's personal vanity. Moreover it was difficult for any good purpose to be served thereby, because the Act only permitted "inspection," and did not allow of copies or extracts being taken from the books, with the result that the inspection was only good so far as the information could be retained in the memory of the person inspecting. As previously explained in connection with Section 17, this power of individual inspection is now limited to a member's own account, and the book containing the names of the members. The provisions of the present Act are considered to be superior to those of the former Act, for the following reasons :—

(1). They prevent the use of the right of inspection by an individual who seeks knowledge only from interested motives, and with a view to creating a disturbance in the society.

(2). Wherever there is real cause for inquiry, as evidenced by the desire of *ten* members, such members can insure a thorough and adequate inspection being made by making application to the Registrar in form provided (see Form L, Treasury Regulations, page 144).

(3). The Registrar will, on receipt of the said application, and on being satisfied that the applicants have made out a good case, select some competent accountant or actuary to make a special examination of the society's books with reference to any matter named by the applicants.

(4). The inspector appointed by the Registrar will have full power to make copies of any books of the society, and to take extracts therefrom.

(5). The cost of such inspection will be defrayed by the applicants, or out of the funds of the society, or by the members or officers thereof, in such proportions as the Registrar may direct.

(6). The results of such inspections will be communicated by the Registrar to the society and to the applicants.

SECTION 19.—*Banking by Societies.*

CLAUSE (1). No society can carry on the business of banking while it has any withdrawable capital.

CLAUSE (2). A society which has only transferable capital may carry on banking business if power is taken in its rules for that purpose. In all cases where a banking business is carried on, a statement in the following form must be made out on the first Monday in February and August each year, and hung in a conspicuous position in its registered office :—

FORM OF STATEMENT TO BE MADE OUT BY A SOCIETY CARRYING ON  
THE BUSINESS OF BANKING.

1. Capital of the society :—

- (a) Nominal amount of each share ;
- (b) Number of shares issued ;
- (c) Amount paid up on shares.

2. Liabilities of the society on the first day of January (or July) last previous :—

- (a) On judgments ;
- (b) On specialty ;
- (c) On notes or bills ;
- (d) On simple contract ;
- (e) On estimated liabilities.

3. Assets of the society on the same date :—

- (a) Government or other securities (stating them) ;
- (b) Bills of exchange and promissory notes ;
- (c) Cash at the bankers ;
- (d) Other securities.

CLAUSE 3. The taking of small deposits, or what is more commonly known as a *Penny Bank* business, is permitted by this clause, and is held not to be included in the business of general banking, which is prohibited to societies which have withdrawable capital.

The conditions relating to deposits are slightly altered by the present Act. Under the Act of 1876 not more than five shillings could be taken in any one payment, now a deposit may be made of any sum not exceeding *ten shillings* in any one payment, but the total amount which may be held by any one depositor must not exceed twenty pounds. No society which takes such deposits shall make any payment of withdrawable capital while any claim due on account of any such deposit is unsatisfied. The following are suitable bye-laws and forms for a Penny Bank Department:—

#### MODEL REGULATIONS AND FORMS FOR A PENNY BANK.

The A.B.

Society Limited.

1. Deposits may be received either from members or non-members.
2. Every depositor shall pay threepence for a deposit book containing a printed copy of these regulations, in which all deposits or withdrawals shall be entered.
3. No person shall deposit more than ten shillings in any one payment, nor have more than £20 on deposit at the same time.
4. Interest at the rate of £            per cent per annum shall be paid on each sum of not less than four shillings continuing on deposit for not less than three months reckoning from the            in each year.
5. A sum not above £            can be withdrawn upon two clear days' previous notice, and a sum above £            on a notice of            days previous.
6. A penny receipt stamp shall be attached at the cost of the depositors on withdrawals of £2 and upwards.
7. No money shall be received or paid without the production of the deposit book; and depositors must attend personally (if possible) when any money is to be withdrawn.

8. If a deposit book is filled with entries it shall be delivered to the secretary, that the balance may be transferred to another book, for which the depositors shall pay threepence.
9. Deposits are received upon the express condition that no writing or mark shall be made in the deposit book except by the secretary of the society or some person acting under his authority, and that if any writing or mark is so made it shall in no way affect the society.
10. The deposit book must be preserved intact, and if lost, torn, or cut, shall be replaced at the cost of the depositor, and when an account is closed must be given up.

I have read, and assent to the above regulations.

\_\_\_\_\_ Depositor.

N.B.—Deposits will be received and paid every \_\_\_\_\_ between \_\_\_\_\_ and \_\_\_\_\_, unless notice is given to the contrary.

The secretary has charge of the accounts, and will see that proper attendance is given at the time appointed for receipts and payments.

No. \_\_\_\_\_ Ledger Folio.

The A.B. \_\_\_\_\_ Society Limited,

In account with \_\_\_\_\_

of \_\_\_\_\_

18	Cash Paid.	Cash Withdrawn.	Balance due by Society.	Signature and Stamp where needed.

#### SECTION 20.—*Documents.*

This Section relates only to the forms of returns and documents required for the purposes of this Act, which are to be made in form prescribed by the Registrar.



## PRIVILEGES OF SOCIETIES.

### SECTION 21.—*Incorporation.*

The registration of a society makes it a body corporate by the name described in the acknowledgment of registry, by which it may sue and be sued with perpetual succession and a common seal, and limited liability, and vests in the society any property held by trustees for the society.

### SECTION 22.—*Rules Binding on Members.*

The rules of a society are binding on all members thereof, or persons claiming through such members to the same extent as if each member had subscribed his name and affixed his seal thereto. But a society registered at the time when the Act comes into operation, or the members thereof, may respectively exercise any power given by the Act and not made to depend on the provisions of its rules, notwithstanding any provision contained in any rule thereof registered before this Act was passed.

### SECTION 23.—*Debts Due from Members.*

CLAUSE (1). Gives power to a registered society to sue its members in the County Court for debt owing by them.

CLAUSE (2). Gives the society a lien on the shares of a member for any debt due to it by him, and authorises the society to set off such shares towards the payment of such debt.

### SECTION 24.—*Income Tax.*

A registered society is exempt from charge to Income Tax under Schedules C and D\* unless it sells to persons not members thereof, and the number of its shares is limited either by its rules or its practice.

Under the Act of 1876, there were no conditions attached to this exemption, but the Customs and Inland Revenue Act of 1880 made an alteration in the law, and provided that where societies made profits out of persons who were not members, and at the same time closed their

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\* Schedule C relates to the duties chargeable on any income payable from the public revenues; Schedule D to the profits of any business.

list of shareholders and ceased to issue new shares—thus preventing these persons from deriving the advantages of membership wherever they were desirous of so doing—in such cases the societies practising such methods should not be exempt from charge to Income Tax on the profits of their trade, but should be liable to be charged on the total profits of the society. It will be noticed that the provisions of the Customs and Inland Revenue Act of 1880 have been introduced into the new Industrial and Provident Societies Act. This will, however, make no difference to societies, as they have been working under these conditions since 1880. It may be considered a reasonable restriction, because so long as a society exists for the public good and admits to its membership all who are anxious to take advantage of the benefits which it may render, it is exempt from any charge upon its profits; but on the other hand, if a society becomes a close and limited body of self-interested people, anxious to make profit out of other persons in order to divide such profits amongst a limited number, then it becomes a trading organisation pure and simple, and cannot be said to be unfairly treated when charged with Income Tax on its profits.

It should be observed that the phrase “and the number of its shares is limited” does not mean the restriction of any individual to hold not more than a fixed number of shares, but refers to the number of shares to be issued by the society as a whole; therefore, so long as a society places no restriction on the admission of new members, the number of its shares is not limited but is constantly increased.

The exemption given to societies does not apply to any individual member or person employed by a society in regard to his or her personal share of profit if such person is otherwise liable.

#### SECTION 25.—*The Power of Nomination.*

CLAUSE (1). Provides that a member of a registered society may during his lifetime nominate any person or persons to whom his property in the society shall be transferred at his decease, provided the amount credited to him in the books of the society does not, at the time of his decease, exceed one hundred pounds (£100) sterling.

CLAUSE (2). Any such nomination may be revoked during the lifetime of the member, in a manner similar to that in which it has been made, but is not revocable by the will of the nominator, or any codicil thereto.

CLAUSE (3). The society is required to keep a book for recording such nominations and revocations.

The power of nomination has been extended so as to allow of more than one person being nominated. The Act of 1876 permitted nomination to "any person"; the present Act extends it to "any person or persons," and also permits of the division of the property amongst the nominees in any proportion desired by the nominator, provided that such property does not exceed £100 at his decease.

SECTION 26.—*Proceedings on the Death of a Nominator.*

When proof has been furnished to the committee of a society of the death of a nominator, the committee is required either to transfer or pay over to the person or persons mentioned in the nomination the property in proportion as stated therein. But if the total property of the nominator in the society at the time of his death exceeds £80, the committee shall, before making any payment, require production of a receipt from the Commissioners of Inland Revenue in regard to the succession or legacy duty payable thereon, or otherwise a certificate stating that no such duty is payable.

SECTION 27.—*Power to Committee to Distribute in Cases of Intestacy*

CLAUSE (1). If any member dies intestate, and without nomination, and his property in the society at the time of his death does not exceed in the whole one hundred pounds (£100), the committee have power to distribute the property of the deceased in the society among such persons as appear to them, on such evidence as they may deem satisfactory, to be entitled by law to receive the same, without requiring letters of administration to be taken out by any of the relatives of the deceased, subject in all cases where the property exceeds eighty pounds (£80), to the obtaining from the Commissioners of Inland Revenue a receipt or certificate as specified in regard to a nomination.

CLAUSE (2). If a member who dies intestate is illegitimate and leaves no widow, widower, or issue, the committee can only deal with the property by direction of the Treasury.

Before any payment is made to the representatives of a member who dies without having made a nomination or will, the committee of a society should demand the fullest information in regard to the number of relatives and their respective degrees of relationship to the deceased, and if they have reason to believe that such information is unreliable, they should refuse to make any payment, and compel the parties to take out letters of administration. Committees of societies or their officials should never make themselves parties to any family arrangements in regard to the division of the property of intestates, but should always insist on paying the moneys to the persons entitled by law to receive the same in such proportion as they are entitled to claim.

**SECTION 28.—*Probate Duty where the Whole Estate exceeds One Hundred Pounds.***

By the Provident Nominations and Small Intestacies Act, 1888, it was provided that where the whole personal or movable estate of a deceased member, including his interest in the society, exceeds one hundred pounds, his property in the society shall be liable to probate duty; and the committee may, before paying over the money to the nominee or next of kin, require a statutory declaration by the claimant to the effect that the total personal or movable estate of the deceased does not, after deduction of debts and funeral expenses, exceed the value of one hundred pounds.

These provisions have been embodied in Section 28 of the present Act.

**SECTION 29.—*Insane Members.***

This section provides that where a member is insane, and no committee or trustee of his property has been appointed, the committee of a society may, when it is proved to their satisfaction that it is just and expedient to do so, pay the property of such member, not exceeding one hundred pounds, to any person whom they shall judge proper to receive the same on his behalf.

This is a new feature in the law relating to Industrial and Provident Societies, which will doubtless be fully appreciated by those whose knowledge and experience extends to the numerous cases where the head of a family holding shares in a society becomes insane, and is thereby rendered incapable of dealing with his shares or of giving a

legal receipt for the same. Owing to the expense necessary for putting in motion the machinery of the Lunacy Laws, it was often impracticable for the family of a working man who became insane to take legal means in order to obtain his shares for the purpose of his maintenance. Hence societies had frequently to run considerable risk by permitting the relatives to withdraw money on account of the insane member although they could not give a valid and legal receipt.

**SECTION 30.**—*Payments to persons apparently entitled are valid*

All payments or transfers made under Sections 26, 27, and 29 are valid and effectual against any demand made upon the committee or society by any other person.

The following general remarks apply to the administration of Sections 25, 26, 27, 29, and 30 :—

(1). *Nomination void if more than £100 at death.*—A nomination may be made at any time during the lifetime of a member without regard to the amount of his interest in the society, but if at the time of his decease he has more than one hundred pounds credited to him in the books of the society (including shares, loans, and deposits) the nomination is void.

(2). *Form of nomination and revocation.*—The following form of nomination and revocation has been arranged to meet the requirements of the new Act. To avoid complications and uncertainty all societies are advised to adopt it. Books containing nomination forms can be obtained on application to the Co-operative Union, Manchester. They are published in two sizes, viz., for large societies—books containing 500 forms, price 9s. per book; for smaller societies—books containing 100 forms, 4s. per book.

**NOMINATION BOOK.**

(Pursuant to the Industrial and Provident Societies Act, 1893.)

I, \_\_\_\_\_  
 Residence \_\_\_\_\_  
 Occupation \_\_\_\_\_  
 \_\_\_\_\_  
 a member of the \_\_\_\_\_ Co-operative Society  
 Limited, and number \_\_\_\_\_ in the said society, do  
 hereby nominate the following as the only person or

persons (none of them being an officer or servant of the society, unless such person is the husband, wife, father, mother, child, brother, sister, nephew, or niece of me, the nominator) to or among whom shall be transferred my property in the society, whether in shares, loans, or deposits, at my decease in such proportion as is set forth below opposite their respective names : -

Name.	Description or Occupation.	Address.	Proportion.

[Where the nomination is not intended to comprise the whole of the member's property in the society, the amount to be comprised in it is to be specified.]

As witness my hand, this \_\_\_\_\_ day of \_\_\_\_\_ one thousand eight hundred and \_\_\_\_\_

Signed in the presence of \_\_\_\_\_

#### REVOCATION.

I, \_\_\_\_\_ do hereby revoke the above nomination,

As witness my hand, this \_\_\_\_\_ day of \_\_\_\_\_ 18\_\_

Signed, \_\_\_\_\_

Witness, \_\_\_\_\_

(3). *Distribution of the Property of Intestates.*—For the guidance of committees in distributing the property of intestates the following information is given :—

# RULES BY WHICH THE PERSONAL ESTATES OF PERSONS DYING INTESTATE ARE DISTRIBUTED.

*If the Intestate die, leaving*

*His representatives take in the proportion following:—*

Wife and child, or children .....	One-third to wife, rest to child or children; and if children are dead, then to the representatives (that is, their lineal descendants), except such child or children, not heirs-at-law, who had estate by settlement of intestate, or were advanced by him in his lifetime, equal to other shares.
Wife only, no relations .....	Up to £500, all to wife; all above the first £500, in each case, half to wife, rest to Crown.
Wife, no near relations .....	Up to £500, all to wife; all above the first £500, in each case, half to wife, rest to next-of-kin in equal degree to intestate, or their legal representatives.
No wife or child .....	All to next-of-kin and their legal representatives
No wife, but child, children, or representatives of them, whether such child or children by one or more wives .....	All to him, her, or them.
Children by two wives .....	Equally to all.
If no child, children, or representatives of them .....	All to next-of-kin in equal degree to intestate.
Child, and grandchild by deceased child .....	Half to child, half to grandchild, who takes by representation.
Husband .....	Whole to him.
Father, and brother or sister .....	Whole to father.
Mother, and brother or sister .....	Whole to them equally.
Wife, mother, brothers, sisters, and nieces (daughters of deceased brother or sister) ..	Up to £500, all to wife; all above the first £500, in each case, half to wife, residue to mother, brothers, sisters, and nieces.
Wife, and father .....	Up to £500, all to wife; all above the first £500, in each case, half to wife, and half to father.
Wife, brothers or sisters, and mother .....	Up to £500, all to wife; all above the first £500, in each case, half to wife, half to brothers or sisters, and mother.
Mother, but no wife, child, father, brother, sister, nephew, or niece .....	The whole to mother.
Wife, and mother .....	Up to £500, all to wife; all above the first £500, in each case, half to wife, half to mother.
Brother or sister of whole blood, and brother or sister of half blood .....	Equally to both.
Posthumous brother or sister, and mother .....	Equally to both.
Posthumous brother or sister, and brother or sister born in lifetime of father .....	Equally to both.
Father's father, and mother's mother .....	Equally to both.
Uncle or aunt's children, and brother's or sister's grandchildren .....	Equally to all.
Grandmother, uncle, or aunt .....	All to grandmother
Two aunts, nephew, and niece .....	Equally to all.
Uncle, and deceased uncle's child .....	All to uncle.
Uncle by mother's side, and deceased uncle or aunt's child .....	All to uncle.
Nephew by brother, and nephew by half-sister ..	Equally <i>per capita</i> .*
Nephew by deceased brother, and nephews and nieces by deceased sister .....	Each in equal shares <i>per capita</i> , and not <i>per stirpes</i> .
Brother and grandfather .....	Whole to brother.
Brother's grandson, and brother or sister's daughter .....	All to brother or sister's daughter.
Brother and two aunts .....	All to brother.
Brother, and wife .....	Up to £500, all to wife; all above the first £500, in each case, half to brother, half to wife.
Wife, mother, and children of a deceased brother (or sister) .....	Up to £500, all to wife; all above the first £500, in each case, half to wife, a fourth to mother, and a fourth <i>per stirpes</i> to deceased brother's or sister's children.
Wife, brother, or sister, and children of a deceased brother or sister .....	Up to £500, all to wife; all above the first £500, in each case, half to wife, one-fourth to brother or sister, one-fourth to deceased brother's or sister's children <i>per stirpes</i> .
Brother or sister, and children of a deceased brother or sister .....	Half to brother or sister, half to children of deceased brother or sister <i>per stirpes</i> .
Grandfather, no nearer relation .....	All to grandfather.

\* That is, taking individually, and not by representation. Thus, if A die, leaving three brothers or sisters, they each take an equal part of his effects in his or her own right. But if either of them die, leaving children, his children would take his share *per stirpes*, that is *through him*, and not in their own rights.

By the Act 19 & 20 Vict., cap. 94, all special local customs relating to the estates of intestates are abolished so far as they affect personal property.

RULES OF DIVISION, ACCORDING TO THE LAW OF **SCOTLAND**,  
OF THE MOVABLE ESTATE OF A PERSON WHO  
HAS DIED INTESTATE.

<i>If a person die, leaving</i>	<i>His movable estate is divided in the following proportions :—</i>
Wife .....	{ Half to wife, other half to deceased's next-of-kin.
Wife and child, or children .....	{ One-third to wife, remaining two-thirds to child, or among children equally.
Wife and children, and issue of predeceasing children .....	{ One-third to wife, one-third to children equally, and the remaining third between the child and the issue of the predeceasing children—the children taking <i>per capita</i> , the latter <i>per stirpes</i> .*
Wife and grandchildren .....	{ Half to wife, and half to grandchildren equally among them.
Wife, and his children by former marriages ....	{ One-third to wife, two-thirds to children equally.
Wife, and her children by last and prior marriages	{ One-third to wife, remaining two-thirds to deceased's children.
Children .....	Whole to children.
Children, and issue of predeceasing children ..	{ Half to children, remaining half between children <i>per capita</i> , and issue <i>per stirpes</i> .
Grandchildren .....	Equally to all.
Children by two or more marriages .....	Equally to all.
Father .....	Whole to father.
Mother .....	{ One-third to mother, other two-thirds to next-of-kin.
Father and mother .....	Whole to father.
Father and mother, and brothers and sisters ..	{ Half to father, half to brothers and sisters equally.
Mother, and brothers and sisters .....	{ One-third to mother, remaining two-thirds to brothers and sisters.
Father, mother, brothers, or sisters, and issue of deceased brothers or sisters .....	{ Half to father, half to brothers and sisters <i>per capita</i> , and issue <i>per stirpes</i> .
Mother, brothers, or sisters, and issue of deceased brothers or sisters .....	{ One-third to mother, remaining two-thirds as in last example.
Father and mother, and their grandchildren ....	{ Half to father, other half to grandchildren equally.
Mother, and her grandchildren .....	{ One-third to mother, other two-thirds to grandchildren equally.
Father, mother, children, and grandchildren of deceased brothers or sisters .....	{ Half to father, other half between children <i>per capita</i> , and grandchildren <i>per stirpes</i> .
Mother, children, and grandchildren of deceased brothers or sisters .....	{ One-third to mother, other two-thirds among children <i>per capita</i> , and grandchildren <i>per stirpes</i> .
Brothers or sisters .....	Equally among them.
Brothers or sisters, and nephews or nieces ....	{ Brothers or sisters <i>per capita</i> , nephews or nieces <i>per stirpes</i> .
Nephews and nieces .....	Equally.
Grandnephews or nieces .....	Equally.



RULES OF DIVISION, ACCORDING TO THE LAW OF SCOTLAND,  
OF THE MOVABLE ESTATE OF A PERSON WHO  
HAS DIED INTTESTATE.—CON.

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*If a person die, leaving*

*His movable estate is divided in the  
following proportions :—*

Brothers or sisters of full blood, and brothers or sisters of half-blood .....	} Whole to brothers and sisters of full blood.
Brothers or sisters consanguinean (that is, by same father but not same mother), and brothers or sisters uterine (that is, by same mother but not by same father) .....	} Whole to brothers and sisters consanguinean.
Brothers or sisters consanguinean, and uncles or aunts .....	} Whole to brothers and sisters.
Brothers and sisters uterine, and uncles or aunts .....	{ Half to brothers and sisters, other half to uncles and aunts.
Father, mother, and uncles and aunts .....	Whole to father.
Father, and cousins of full blood .....	Whole to father.
Mother, and uncles or aunts .....	{ One-third to mother, two-thirds to uncles and aunts.
Mother, and cousins of full blood .....	{ One-third to mother, two-thirds to cousins equally.
Grandfather, and uncles and aunts .....	Whole to uncles and aunts.
Grandfather, grandmother, and mother .....	One-third to mother, two-thirds to grandfather

*Where a wife dies, survived by*

*Her movable estate is divided in the  
following proportions :—*

Husband .....	Half to husband, other half to next-of-kin.
Husband and children .....	One-third to husband, rest to children.
Children only .....	Whole to children.
Children, and issue of deceased children .....	{ Half to children, other half among children per capita, and issue per stirpes.
Children by two or more marriages .....	Equally to all.

Illegitimate children do not succeed to their father and mother, when the latter leave no will in their favour. When an illegitimate child dies without a will, and leaves neither wife nor children, his estate falls to the Crown.

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\* *Per capita*, i.e., by the head; *per stirpes* (by descent), i.e., through their parent and not in their own right. Where property divides *per capita*, it is divided into as many shares as there are children; where *per stirpes* the share which would have fallen to the predeceasing parent if alive is divided equally among his children.

(4). *Form of Application to the Commissioners of Inland Revenue re Payment or Non-payment of Succession or Legacy Duty.*—Wherever the amount of property standing in the name of a deceased member exceeds eighty pounds (£80), the committee of a society should either make application to Somerset House in the following form, or should insist upon the claimants themselves making the application, before any property is paid or transferred :—

## FORM.

*In re the Provident Nominations and Small Intestacies Act,  
1883, and the \_\_\_\_\_ Society Limited.*

*Registered Office \_\_\_\_\_*

In every case where the total amount standing to the credit of a member of the society deceased, not bequeathed by will, is more than £80, and not more than £100.

\_\_\_\_\_ 18

To the Controller of Legacy and Succession Duties,  
Somerset House, London.

Sir,

By direction of the committee of management of the above-named society, I request that you will, either—

- (1). Send them a certificate that no duty is payable on the sum standing to the credit of the undermentioned member thereof, deceased, in respect of the shares and interest therein specified in the statement annexed; or
- (2). Signify to the committee the amount of duty payable on the same, in order that they may provide for its discharge before they pay away the said sum.

## STATEMENT.

Name of the deceased\* \_\_\_\_\_

\_\_\_\_\_

Who died on the \_\_\_\_\_ day of \_\_\_\_\_ 18

\* State name, address, and occupation of the deceased. If a female, whether married, single, or a widow.

Amount standing to the credit of the deceased—

		£	s.	d.
In the books of the society	{ For Shares.....			
	" Loans .....			
	" Deposits .....			
Total.....				

- (1). If the deceased has made a nomination, state for each nominee his or her—

Name.	Sum Nominated.	Relationship to the Nominator.

- (2). If the deceased has not nominated, state—

The Name of each Claimant to the Property.	His or Her Relationship to the Member.

\_\_\_\_\_. Secretary.

**ADDITIONAL STATEMENT AS TO THE PROPERTY OF THE  
DECEASED NOT SPECIFIED ABOVE.**

Name and address of the person who makes this statement—

\_\_\_\_\_

An account of the personal estate other than that specified above, and of the debts and funeral expenses of the above-named

\_\_\_\_\_ rendered by\* \_\_\_\_\_

\* State the name, address, and occupation of the person by whom the account is rendered, and how such person is related to or connected with the deceased.

DESCRIPTION OF PROPERTY—	Value of Property.		
	£	s.	d.
Cash in the house .....			
Money in the Post-office or any other Savings Bank .....			
Furniture, Wearing Apparel, &c. ....			
Stock-in-Trade, &c.....			
Life Assurance Policy or Policies .....			
Money payable by any Friendly or any other Industrial and Provident Society			
Book and other debts due to the deceased			
Money invested in the Public Funds, or in the Shares or Stock of any Railway or other Company .....			
Leasehold Property, viz.:—			
Personal Property of any other description, viz.:—*			
	£		
Debts due by the deceased .....			
Funeral Expenses .....			
	£		

(3).†

(4).‡

## DECLARATION.

I (or we), the undersigned, declare this to be a just and true account.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 18

\* If none, please state this.

† State particulars of any freehold or copyhold houses or land possessed by the deceased for life or otherwise.

‡ State whether the grant of Probate, or Confirmation, or Letters of Administration has been or is intended to be obtained.

(5). *Form of Receipt to be Obtained on Paying over the Property of an Intestate Member.*—As committees are sometimes in a difficulty as to what is the proper form of receipt to take when paying over the shares or other interest of a deceased intestate member to his legal representatives, the following form is recommended for their use:

I [or we], the undersigned, being the person entitled to the property of \_\_\_\_\_, of \_\_\_\_\_, deceased, in the \_\_\_\_\_ Society Limited, hereby acknowledge having received the sum set against my [or our] name and signature below contained, in full discharge of all claims against the said society in respect to all shares, loans, deposits, interests, and dividends standing to the credit of the deceased \_\_\_\_\_ in the books of the said society.

Signed by me [or us] this\_\_\_\_\_day of\_\_\_\_\_.

[illegible]

(6). *Form of Receipt to be Obtained on Paying Money the Property of an Insane Member.*—It will be advisable to have some recognised form for dealing with these cases, and the following is suggested:—

I [or we], the undersigned, hereby acknowledge having received from the \_\_\_\_\_ Society Limited the sum of \_\_\_\_\_, the said sum being the property of \_\_\_\_\_, of \_\_\_\_\_, a member of the said \_\_\_\_\_ Society Limited, who is now insane, and on whose behalf I [or we] have agreed to receive and apply the same, in accordance with the provisions of Section 29 of the Industrial and Provident Societies Act, 1893 (56 and 57 Vict., ch. 39, Section 29), no committee of his estate or trustee of his property having been appointed.

Stamp where Required.	Signature of Recipient.	Relation to Insane Member.	Amount Received. £ s. d.

#### SECTION 31.—*Transfer of Stock.*

If the society should hold any stock in the Bank of England or Ireland (which cannot be held in its corporate name), and any difficulties arise in obtaining a transfer from the persons in whose names it stands as trustees, facilities are given for appointing new trustees.

#### SECTION 32.—*Membership of Minors.*

A minor may become legally a member if not under 16, and do all acts accordingly, except that he cannot be member of the committee, trustee, manager, or treasurer. He is not disqualified from being secretary.

SECTION 33.—*Commercial Instruments.*

Promissory notes and bills of exchange made, accepted, or endorsed on behalf or on account of the society, by any person acting under its authority, are to be deemed to be made, or accepted, or endorsed on behalf of the society.

That is to say, the society, not the persons signing individually, will be liable.

SECTION 34.—*Register of Members and Shares.*

Any register or list of members or shares kept by the society is made *prima facie* evidence of any of the following particulars entered therein :—

The names, addresses, and occupations of the members ; the number of shares held by them respectively ; the numbers of such shares, if they are distinguished by numbers ; and the amount paid or agreed to be considered as paid thereon.

The date at which a member becomes and when he ceased to be a member.

The importance of keeping a correct register or list of members should not be overlooked by societies. In the event of any claim being made by a member on the society or by the society against a member, the register containing the particulars above-mentioned can be produced as legal evidence in support of the society.

SECTION 35.—*Contracts.*

This section contains a series of provisions, of which the effect is—

- (a) To declare contracts under the seal of a society binding on it wherever a contract under the seal of a private person would be binding on him ;
- (b) To provide that in any case where private persons could legally bind or unbind themselves by a writing signed by them, not under seal, or by word of mouth, a society may legally bind or unbind itself by a writing signed or words spoken by any person acting under its expressed or implied authority ;

- (c) To make a statement that the person who signs any such writing holds any office in the society proof that he did then hold it, unless the contrary is shown.

When a society makes an agreement under seal a 10s. stamp is required to render it legal. Previous to the passing of the Industrial and Provident Societies Act, 1876, it was not permitted to societies to enter into agreements or contracts except under seal, although joint stock companies by their Act of 1867 were empowered to make a binding agreement in writing. It is now legal and binding for societies to make contracts in any manner in which such contracts may be made by individuals, and there is no necessity to use the seal of the society in connection with such documents.

SECTIONS 36 AND 37.—*Holding of Land and Provision as to Copyholds.*

LAND.—A society, if its rules do not forbid it, may acquire in its own name lands of any tenure, and may freely deal with them or any buildings thereon.

COPYHOLDS may be held by a society in its own name, if the lord of the manor will agree; or, if not, the society may require him to admit any number of trustees, not exceeding three, on payment of the fines, fees, and other dues payable on the admission of a single tenant.

SECTION 38.—*Investments by Societies.*

- (1). A registered society may invest any part of its capital in or upon any security authorised by its rules, and also, if its rules do not forbid it—

- (a) In or upon any security in which trustees may invest, and
- (b) In or upon any security authorised by or under any Act of Parliament passed or to be passed of any local authority as defined by Section 34 of the Local Loans Act, 1875 [38 and 39 Vic., c. 88], and



- (c) In the shares or on the security of any Industrial and Provident Society, Building Society, Joint Stock Company, or company incorporated by Act of Parliament or by Charter, provided that no investment be made in the shares of any society or company other than one with limited liability; and
  - (d) In any certified savings bank or a post-office savings bank (see Section 39); and
  - (e) In advances to members (see Section 40).
- (2). A society making such investment shall be deemed to be "a person" within the meaning of the Companies Acts, and of the Building Societies Acts.
- (3). Any investments made before the passing of this Act, which would have been valid if this Act had then been in force, are ratified and confirmed.

**SECTION 39.—*Power to Invest in Savings Banks.***

If a society is one not chargeable to Income Tax under the provisions of Section 24 of this Act, it may invest any part of its capital or funds in any Savings Bank certified under the Trustee Savings Banks Act, 1863, or in a Post-office Savings Bank.

**SECTION 40.—*Advances to Members.***

A society may make advances of money to its members on the security of real or personal property, or if the society is registered to carry on banking business it may take such security as is customary in such business.

With reference to Sections 38, 39, and 40, it may be useful to direct attention to the increased powers conferred on societies in regard to investment of capital.

- (1). A society may now invest in or upon *any* security *authorised by its rules*. This provision practically gives unlimited power to a society to invest in any manner prescribed by its rules, provided that such investment is made only on a legal security.

(2). Clauses (a) and (b) of Section 38 extend the power of investment to include all securities in which trustees may invest, and also securities authorised by any Act of Parliament of any local authority as defined by Section 34 of the Local Loans Act, 1875.

(3). Clause (c) re-enacts the provisions of the Act of 1876, by which societies may invest in any society registered under this Act, or under the Building Societies Acts, or of any company registered under the Companies Acts, or incorporated by Act of Parliament, or by Charter.

(4). No investment can be made in the *shares* of any society or company other than one with limited liability.

(5). As it is possible that some societies may have invested money in a manner not permitted by the previous Acts, it will no doubt be satisfactory to them to know that all investments made before the passing of this Act, which would have been valid if this Act had been in force, are now ratified and made legal.

(6). Another extension of the power of investment is that societies which are not chargeable to Income Tax under Schedules C and D, may invest in any Savings Bank certified under the Trustee Savings Bank Act, 1863, or in a Post-office Savings Bank.

(7). If a society desires to take advantage of the power given it by the Act, of making advances of money to its members on the security of real or personal property, it is necessary that provision should be made in the rules to that effect, as the Act makes this power to depend on the rules.

The following extracts from the Acts of Parliament referred to will no doubt be found useful:—

(1).—*Extract from the Trustees Consolidation Act, 1893, 56 & 57, ch. 53.*

1. A trustee may, unless expressly forbidden by the instrument (if any) creating the trust, invest any trust funds in his hands in manner following, that is to say:—

(a) In any of the Parliamentary Stocks or Public Funds or Government Securities of the United Kingdom ;

- (b) On Real or heritable Securities in Great Britain or Ireland ;
- (c) In the Stock of the Bank of England or the Bank of Ireland ;
- (d) In India Three-and-a-half per Cent Stock and India Three per Cent Stock, or in any other Capital Stock which may at any time hereafter be issued by the Secretary of State in Council of India, under the authority of Act of Parliament, and charged on the revenues of India ;
- (e) In any Securities the interest of which is or shall be guaranteed by Parliament ;
- (f) In consolidated Stock created by the Metropolitan Board of Works, or by the London County Council, or in Debenture Stock created by the Receiver for the Metropolitan Police District ;
- (g) In the Debenture or Rentcharge or Guaranteed or Preference Stock of any railway company in Great Britain or Ireland incorporated by special Act of Parliament, and having during each of the ten years last past before the date of investment paid a dividend at the rate of not less than three per centum per annum on its ordinary stock ;
- (h) In the stock of any railway or canal company in Great Britain or Ireland whose undertaking is leased in perpetuity or for a term of not less than two hundred years at a fixed rental to any such railway company as is mentioned in sub-section (g) either alone or jointly with any other railway company ;
- (i) In the Debenture Stock of any railway company in India the interest on which is paid or guaranteed by the Secretary of State in Council of India ;
- (j) In the " B " Annuities of the Eastern Bengal, the East Indian and the Scinde Punjaub and Delhi Railways, and any like annuities which may at any time hereafter be created on the purchase of any other railway by the Secretary of State in Council of India, and charged on the revenues of India, and which may be authorised by Act of Parliament to be accepted by trustees in lieu of any stock held by them in the purchased railway, or upon the capital of which the interest is so guaranteed ;

- (k) In the stock of any railway company in India upon which a fixed or minimum dividend in sterling is paid or guaranteed by the Secretary of State in Council of India, also in Deferred Annuities comprised in the register of holders of Annuity Class D and Annuities comprised in the register of annuitants Class C of the East Indian Railway Company;
- (l) In the Debenture or Guaranteed or Preference Stock of any company in Great Britain or Ireland, established for the supply of water for profit, and incorporated by special Act of Parliament or by Royal Charter, and having during each of the ten years last past before the date of investment paid a dividend of not less than five pounds per centum on its Ordinary Stock ;
- (m) In nominal or inscribed stock issued, or to be issued, by the corporation of any municipal borough, having according to the returns of the last census prior to the date of investment a population exceeding fifty thousand, or by any county council, under the authority of any Act of Parliament or Provisional Order ;
- (n) In nominal or inscribed stock issued, or to be issued, by any Commissioners incorporated by Act of Parliament for the purpose of supplying water, and having a compulsory power of levying rates over an area having, according to the returns of the last census prior to the date of investment, a population exceeding fifty thousand, provided that during each of the ten years last past before the date of investment the rates levied by such Commissioners shall not have exceeded eighty per centum of the amount authorised by law to be levied ;
- (o) In any of the stocks, funds, or securities, for the time being authorised for the investment of cash under the control or subject to the order of the Court ;

and may also from time to time vary any such investment.

- 2.—(1). A trustee may under the powers of this Act invest in any of the securities mentioned or referred to in Section 1 of this Act, notwithstanding that the same may be redeemable, and that the price exceeds the redemption value.

- (2). Provided that a trustee may not under the powers of this Act purchase at a price exceeding its redemption value any stock mentioned or referred to in sub-sections (g), (i), (k), (l), and (m) of Section 1 which is liable to be redeemed within fifteen years of the date of purchase at par or at some other fixed rate, or purchase any such stock as is mentioned or referred to in the sub-sections aforesaid, which is liable to be redeemed at par or at some other fixed rate, at a price exceeding fifteen per centum above par or such other fixed rate.
- (8). A trustee may retain until redemption any redeemable stock, fund, or security which may have been purchased in accordance with the powers of this Act.
8. Every power conferred by the preceding Sections shall be exercised according to the discretion of the trustees but subject to any consent required by the instrument, if any, creating the trust with respect to the investment of the trust funds.
4. The preceding Sections shall apply as well to trust, created before as to trusts created after the passing of this Act, and the powers thereby conferred shall be in addition to the powers conferred by the instrument, if any, creating the trust.
- 5 —(1). A trustee having power to invest in real securities, unless expressly forbidden by the instrument creating the trust, may invest and shall be deemed to have always had power to invest—
- (a) on mortgage of property held for an unexpired term of not less than two hundred years, and not subject to a reservation of rent greater than a shilling a year, or to any right of redemption or to any condition for re-entry, except for non-payment of rent; and
  - (b) on any charge, or upon mortgage of any charge, made under the Improvement of Land Act, 1864.
- (2). A trustee having power to invest in the mortgages or bonds of any railway company or of any other description of company may, unless the con-

trary is expressed in the instrument authorising the investment, invest in the debenture stock of a railway company or such other company as aforesaid.

- (3). A trustee having power to invest money in the debentures or debenture stock of any railway or other company may, unless the contrary is expressed in the instrument authorising the investment, invest in any nominal debentures or nominal debenture stock issued under the Local Loans Act, 1875.
  - (4). A trustee having power to invest money in securities in the Isle of Man, or in securities of the government of a colony, may, unless the contrary is expressed in the instrument authorising the investment, invest in any securities of the Government of the Isle of Man, under the Isle of Man Loans Ac', 1880.
  - (5). A trustee having a general power to invest trust moneys in or upon the security of shares, stock, mortgages, bonds, or debentures of companies incorporated by or acting under the authority of an Act of Parliament, may invest in, or upon the security of, mortgage debentures duly issued under and in accordance with the provisions of the Mortgage Debenture Act, 1865.
6. A trustee having power to invest in the purchase of land or on mortgage of land may invest in the purchase, or on mortgage of any land, notwithstanding the same is charged with a rent under the powers of the Public Money Drainage Acts, 1846 to 1856, or the Landed Property Improvement (Ireland) Act, 1847, or by an absolute order made under the Improvement of Land Act, 1864, unless the terms of the trust expressly provide that the land to be purchased or taken in mortgage shall not be subject to any such prior charge.
- 7.—(1). A trustee, unless authorised by the terms of his trust, shall not apply for or hold any certificate to bearer issued under the authority of any of the following Acts, that is to say :—
- (a) The India Stock Certificate Act, 1868 ;
  - (b) The National Debt Act, 1870 ;
  - (c) The Local Loans Act, 1875 ;
  - (d) The Colonial Stock Act, 1877.

(2).—*Definition of a "Local Authority," on whose Security an Investment may be made.*

LOCAL LOANS ACT, 1875.

[38 AND 39 VICT., C. 83, SEC. 34.]

For the purposes of this Act—

"Prescribed" means prescribed by any Act passed either before or after the passing of this Act authorising a local authority to borrow money ;

"Local authority" means the justices of any county, liberty, riding, parts, or division of a county in general or quarter sessions assembled, the council of any municipal borough, also any authority whatsoever having power to levy a rate, as in this Act defined, also any prescribed authority ;

"Municipal borough" means any borough for the time being subject to the Act of the session of the fifth and sixth years of the reign of King William the Fourth, chapter seventy-six, intituled "An Act to provide for the regulation of municipal corporations in England and Wales," and any Acts amending the same ;

A "rate" means a rate the proceeds of which are applicable to public local purposes and leviable on the basis of an assessment in respect of property, and includes any sum which, though obtained in the first instance by a precept, certificate, or other document requiring payment from some authority or officer, is or can be ultimately raised out of a rate, and the levy of a rate includes the issue and enforcement of any such precept, certificate, or document as aforesaid, and expressions relating to the levy and the assessment and making of a rate shall be construed accordingly ;

"Local rate" means any rate as before defined which a local authority have power to levy or charge by way of mortgage or otherwise ;

"Security" means any debenture, debenture stock, annuity certificate, coupon, or stock certificate to bearer issued under this Act ;

"Person" includes a body of persons corporate or unincorporate;

"Executors and administrators" includes successors.

(8).—*Form of Mortgage recommended to be used in making Advances to Members on the Security of Freehold Property.*

THIS INDENTURE, made the \_\_\_\_\_ day of \_\_\_\_\_ 18 \_\_\_\_\_, between \_\_\_\_\_

\_\_\_\_\_ of the first part, and the \_\_\_\_\_ Society Limited of the second part, hereinafter respectively called "the mortgagor" (which word includes his or her heirs, executors, administrators, and assigns) and "the society," *Witnesses that*, in consideration of the sum of \_\_\_\_\_ sterling advanced to the mortgagor by the society, the receipt whereof the mortgagor hereby acknowledges, the *mortgagor hereby covenants* with the society—

1. To repay the sum so advanced to such person or persons, or at such place as the committee of management of the society for the time being (hereinafter called "the committee") appoint from time to time;
2. To make such payment by instalments of not less than such sum as is mentioned in the first schedule hereto, payable with interest at such rate not exceeding £5 per cent per annum, calculated on the sum due from such time as is thereby specified, and if no other time is specified, from the last of such payments;
8. To pay (a) all costs or fines (if any) which may be incurred under the rules of the society in consequence of any default in making any such payment as aforesaid; and (b) all such further sums (if any) as under the said rules may become due in respect of the expenses of the building department of the society, or in respect of any ground rent charged or apportioned by the committee upon the property comprised in this Indenture; and



4. To make all such payments at and in such time and manner as the rules of the society direct, or in default of such direction as the committee appoint, until the said advance is fully repaid.

*And this Indenture also witnesses that* for the considerations aforesaid the mortgagor, as beneficial owner, hereby grants to the society and its assigns the hereditaments specified in the second schedule hereto, as the same are delineated upon the map or plan (if any) included therein or thereby referred to, *to hold the same* unto and to the use of the society and its assigns; *Provided that* if the mortgagor repays to the society the sum advanced by it as aforesaid, by instalments of such amount and so paid as aforesaid, with interest after the rate and calculated as aforesaid, upon so much of the said sum as remains for the time being unpaid, and all such further sum or sums (if any) as may become due to the society under any covenant or agreement herein contained, the society shall at any time thereafter, on the request and at the cost of the mortgagor, endorse upon this indenture a receipt in full for the said principal sum and interest hereby intended to be secured, signed in the manner specified by Schedule III. of the Industrial and Provident Societies Act, 1876.

*And it is hereby agreed and declared that* all statements made on the minutes of the society, or of any committee thereof, relating to the exercise of the powers possessed by it as mortgagee, shall, as respects purchasers, lessees, or other persons dealing with the society, be binding and conclusive on the society and the mortgagor. *And that* the powers given by Part iv. of the Conveyancing and Law of Property Act, 1881, to a mortgagee shall be exercisable by the society upon any default in the payment of any instalment due under this Indenture, whereupon the said mortgage money shall be taken to have "become due" within the meaning of Section 19 (1, 1) of the said Act. *And that the mortgagor shall keep* every building comprised in this Indenture in good and tenantable repair to the satisfaction of any surveyor whom the committee appoint to inspect the same; *And shall* defray the cost of keeping the same insured in the name of the society or their assigns against damage by fire in such company, society, or office as the committee think fit in the sum of                      pounds sterling, and shall

pay the cost of such insurance and the annual renewals thereof on or before the ninth day of the month next after the same is due, or in default thereof shall pay a fine after such rate on the sum insured as is mentioned in the first schedule hereto, and if no other rate is mentioned, at the rate of 1s. in the £; *And shall* give the committee notice in writing of any trade or manufacturing process intended to be carried on, and of every stove, furnace, or other article intended to be erected on any part of the premises, and of every other act or thing intended to be done on any part of the same which may in anywise affect the validity of the policy of insurance before the same respectively is commenced, erected, or done; and shall not carry on, erect, or do the same respectively if forbidden by the committee, nor otherwise than in accordance with its directions; *And that* in default of compliance with these provisions the mortgagor shall be subject to a fine of five shillings for every week from the commencement of such trade, erection, or other act until the consent of the committee thereto has been obtained; and that the committee may increase the amount of the insurance of the premises to any amount they think fit, in consequence of any such trade, erection, or act, and may pay any additional sum for such increased insurance; *And that* if the mortgagor make default in putting or keeping any such building in such repair or in keeping the same insured to such extent, or on producing such policy in receipt on demand as aforesaid, the society or their assigns may put and keep in such repair and so insured as aforesaid any such building; *And that* the mortgagor or the assigns of the mortgagor shall, on demand, repay to the society or their assigns every sum of money expended by them for any purpose hereinbefore mentioned; *And that* all sums so paid by the society shall be an additional charge upon the hereditaments hereby conveyed, with interest after the rate aforesaid, until the same are fully paid; *And that* in case of damage by fire the committee shall receive the amount payable in respect of the damage sustained from such insurance office or company aforesaid; and a receipt for the same, signed by the chairman of the committee and countersigned by the secretary of the society, shall be a sufficient discharge to such office or company for all moneys thereon expressed to be received; *And the* committee shall have full power to settle with such office or company any question relating to such

assurance, and fix the amount to be paid in respect of any damage done to the premises, or make such arrangements with the office or company as to the rebuilding or repairing the premises, or relating thereto, as they think fit; *And may*, at their discretion, either lay out the money received from such office or company in repairing the damage done to the premises, or apply the same or any part thereof in or towards payment of the amount then due under this agreement, the *Society* hereby agreeing to pay the surplus (if any) to the mortgagor as personal estate.

*Provided nevertheless*, and the society hereby agrees that it will not exercise the powers in the said Conveyancing and Law of Property Act, 1881, contained, of entering into possession of receipts of rents and profits, or of leasing, or sale, unless and until default has been made in payment of some instalment of the principal and interest hereby secured, for three calendar months after the same has become due, or the mortgagor has been adjudged bankrupt or entered into some arrangement for liquidation or composition with creditors, or should, without the consent of the committee in writing, pull down, remove, or carry away, or cause or procure to be pulled down, removed, or carried away, or should otherwise damage any building forming part of the buildings standing on the premises hereby conveyed.

*In witness* whereof the mortgagor has hereto set his hand and seal, and the seal of the society, attested as is required by the rules thereof, has been affixed the year and day first aforesaid.

#### FIRST SCHEDULE, OF PAYMENTS.

Amount of instalments \_\_\_\_\_

Days when the instalments are payable \_\_\_\_\_

Rate of interest and time from which it is to be calculated \_\_\_\_\_

Rate of fine on non-payment of insurance premium \_\_\_\_\_

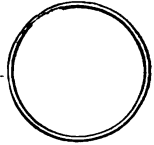
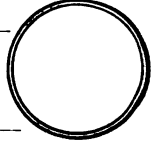
## SECOND SCHEDULE, OF PROPERTIES.

Reference to map or plan (if any) \_\_\_\_\_

Description of the properties conveyed \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## SIGNATURES AND SEALS :

Mortgagor \_\_\_\_\_

Society { Members  
          of the  
          Committee }\_\_\_\_\_  
\_\_\_\_\_

Secretary \_\_\_\_\_

Signed, sealed, and delivered by the above-named mort-  
gagor in the presence of \_\_\_\_\_

In the case of advancing money on the security of leasehold property a special form of mortgage would be required, and this could only be prepared on perusal of the deed relating to the particular property.

SECTION 41.—*Societies Members of other Bodies Corporate may vote by Proxy.*

A society which has invested in the shares or on the security of any other body corporate may appoint as proxy any one of its members, although such member is not personally a shareholder of such other body corporate.

This section embodies the provisions of the Companies Clauses Consolidation Act, 1888, which enables societies to overcome the difficulty they formerly experienced in

regard to attendance and voting at the meetings of other bodies corporate in which they had funds invested. Formerly, in regard to all bodies corporate, such as railway and other companies which had adopted the Companies Clauses, a society could only exercise its voting power by appointing as its proxy some person who was himself a shareholder in the body corporate in which the funds were invested and to which the voting power related. In view of the large sums belonging to co-operators which have found investment in railway and other companies, it was considered to be a great injustice that societies could not be directly represented by proxies belonging to themselves, and of their own selection; therefore the Companies Clauses Consolidation Act of 1888 was passed to remedy this injustice, and its main provisions have been included in the present Act. The above-mentioned Act of 1888 provides forms for appointment of proxies. The full text is as follows :—

COMPANIES CLAUSES CONSOLIDATION ACTS, 1888 AND 1889.

*Acts to amend the Companies Clauses Consolidation Act, 1845, in respect to voting by Proxy.*

(51 and 52 Vict., c. 48, and 52 and 53 Vict., c. 87.)

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

1. This Act may be cited as the Companies Clauses Consolidation Act, 1888, and the Companies Clauses Consolidation Act, 1845, and this Act may be cited together as the Companies Clauses Consolidation Acts, 1845 and 1888; and this Act shall be construed together with the said Act as part thereof.
2. To section 76 of the Companies Clauses Consolidation Act, 1845, the following words shall be added :—  
“ Provided, that where the shareholder is a body corporate, the proxy may be any member of such body, though not personally a shareholder in the company.”

3. Such a proxy shall, during the continuance of his appointment, be taken in virtue thereof to be a shareholder in the company to which his appointment relates, holding the number of shares held by the corporation by whom he is appointed, for all purposes except the transfer of any such share or the giving receipts for any dividend thereon.
4. The appointment may be made and revoked in the following form :—

#### FORMS OF PROXY PAPERS.

##### (1). *General Appointment.*

We, the \_\_\_\_\_, being a body corporate, and one of the proprietors of the \_\_\_\_\_ company, hereby appoint *A.B.*, of \_\_\_\_\_, who is hereby certified to be a member of this corporation, to be our proxy, to vote in our name as he shall think proper upon any matter relating to the several undertakings proposed at any meeting of the said company to be held during the continuance of this appointment, and otherwise to be our representative in such company.

In witness whereof the common seal of the said corporation, attested as is required by its regulations, is hereto set this \_\_\_\_\_ day of \_\_\_\_\_.

##### (2). *Revocation of General Proxy.*

We, the \_\_\_\_\_, hereby revoke the appointment of \_\_\_\_\_ of \_\_\_\_\_, who is our proxy in the \_\_\_\_\_ company, made by an instrument under our common seal, and dated the \_\_\_\_\_ day of \_\_\_\_\_.

In witness whereof the common seal of the said corporation, attested as is required by its regulations, is set hereto the \_\_\_\_\_ day of \_\_\_\_\_.

(An instrument in this form shall not require any stamp.)

(8). *Special Appointment.*

We, the \_\_\_\_\_, being a body corporate, and one of the proprietors of the \_\_\_\_\_ company, do hereby appoint A.B., of \_\_\_\_\_, who is hereby certified to be a member of this corporation, to vote in our name as he shall think proper upon any matter relating to the said undertaking proposed at the meeting of the proprietors of the said company, to be held on the \_\_\_\_\_ day of \_\_\_\_\_ next, or at any adjournment thereof.

In witness whereof the common seal of the said corporation, attested as is required by its regulations, is set hereto this \_\_\_\_\_ day of \_\_\_\_\_

SECTION 42.—*Body Corporate may hold Shares in a Society.*

Any society, company, or other body corporate may hold shares by its corporate name in a society, if its regulations permit; but, except in the case of a society, may not hold more than £200.

SECTIONS 43, 44, 45, AND 46.—*Mortgages and Receipts in Discharge.*

## IN ENGLAND AND WALES, AND IRELAND.

- (1). On the discharge of a mortgage, a receipt in full, signed by two members of the committee, and countersigned by the secretary of a registered society, endorsed on or annexed to any mortgage or assurance, shall vacate the said mortgage and vest the property therein comprised in the person entitled to the equity of redemption thereof without any formal reconveyance or surrender, and such receipt is exempt from stamp duty, provided it is made in the form prescribed by Form A of the third schedule to this Act, or in some other form specified in the registered rules of the society.

**FORM A.—SCHEDULE III.**

*“Forms of Receipt to be Endorsed on Mortgage or Further Charge.”*

The \_\_\_\_\_ Limited, hereby  
acknowledges to have received all moneys intended  
to be secured by the within (or above) written deed.  
Dated this \_\_\_\_\_ day of \_\_\_\_\_

Members  
of the  
Committee.  
Secretary."

- (2). If such mortgage has been registered or recorded, or is of copyholds or lands of customary tenure and is entered on any court rolls, the Registrar, recording officer, steward, or keeper of the register is required, under the conditions named in the Act, to acknowledge such receipt and to grant a certificate in accordance therewith, on payment of a fee of 2s. 6d.

IN SCOTLAND.

- (1). A receipt given in one of the forms mentioned below, as prescribed in Schedule III. of this Act, if endorsed on or annexed to any security, such will effectively operate as a renunciation and discharge of security held by a society in connection with any heritable security, absolute conveyance, disposition, or other assurance, and will re-vest the property therein comprised in the person or persons entitled to the same, provided that in each case the form prescribed for that particular kind of security must be used and no other.

**FORM B.—SCHEDULE III.**

In the case of a heritable security other than by way of an *ex-facie* or other absolute conveyance:—

“ The \_\_\_\_\_ Limited, acknowledges to have received all moneys intended to be secured by the bond and disposition in security, dated the \_\_\_\_\_, and recorded on the \_\_\_\_\_ in the register of Sasines for \_\_\_\_\_ for the sum of £ \_\_\_\_\_ granted by A. [insert name and designation] in favour of the said society.



Dated at                      this                      day of                      ,  
 one thousand eight hundred and ninety                      .

} *Members*  
 } *of the*  
 } *Committee.*  
*Secretary."*

To be recorded with warrant of registration on behalf  
 of [the person or persons entitled].

#### FORM C.—SCHEDULE III.

In the case of a heritable security in the form of  
 an *ex-facie* or other absolute conveyance or dispo-  
 sition :—

"The    Limited, hereby  
 acknowledges that the disposition (or other con-  
 veyance), dated the                      , and recorded  
 the                      in the register of Sasines  
 for                      granted by *A.* [insert  
 designation] (or by *B.* [insert designation] with  
 consent of *A.*) in favour of the above-named society,  
 was intended only as a security for a loan of £  
 granted to *A.* by the said society, and for the interest,  
 penalties, and others effeiring thereto ; and that all  
 moneys intended to be thereby secured have been  
 fully paid."

(To be completed and recorded as in Form B.)

#### FORM D.—SCHEDULE III.

In the case of a security or assurance other than  
 a heritable security :—

"The    Limited, hereby  
 acknowledges to have received all moneys intended  
 to be secured by the within (or above) written deed."

(To be completed as in Form B).

(Recipients in the Forms B, C, or D shall not require  
 a testing or subscription clause).

- (2). Each such receipt shall be registered in the appropriate  
 register of Sasines, for which a fee not exceeding 5s.  
 may be charged by the Registrar, and on such registra-

tion all property comprised in such receipt shall be re-vested in the persons entitled to the same without the necessity of any more formal deed. No stamp shall be payable on any such receipt.

GENERAL.—The power of a society to give such receipt extends also to the liquidator where a society is in liquidation.

#### SECTION 47.—*Security by Officers.*

*Security* by a bond, with or without a surety, to such amount as the committee direct is to be given by every officer of the society if the rules require it, before entering on his office.

Forms of bond are provided in the third Schedule to this Act. Societies should see that due attention is given to this important matter.

#### SECTION 48.—*Accounts of Officers.*

*Accounts* are to be rendered by every officer as the rules direct. This section also applies to every servant of the society in receipt or charge of money.

#### SECTION 49.—*Disputes.*

CLAUSE (1). A society may, by provision in its rules, determine in what manner disputes arising between a member, or a person who has for not more than six months ceased to be a member, and the society (or any officer thereof) shall be decided, and any decision made according to the rules of the society shall be binding on all parties without appeal, and shall not be removable into any court of law.

CLAUSE (2). The society or other parties to any dispute may by consent of all the parties thereto refer such dispute to the Chief or Assistant Registrar, whose decision shall be binding in like manner as a decision made under the rules of the society.

CLAUSE (5). If the rules contain no direction for the settlement of disputes, or where no decision is made in a dispute within forty days after the aggrieved person has

made application for the matter to be dealt with under the rules of the society, such person may apply either to the county court or court of summary jurisdiction to determine the dispute.

CLAUSE (6). The provisions of the Arbitration Act, 1889, *do not apply* to disputes under this Act.

As the object of this section is to prevent litigation between a society and its members, and to give a society the right to determine all disputes occurring under its rules, it is obviously of the utmost importance that societies should take full advantage of this privilege of settling their own affairs. This can only be done if provision is made in the rules for the purpose. In the absence of such provision in the rules the law courts have jurisdiction. Take, for instance, a case which occurs frequently—a society, according to conditions contained in its rules, suspends the right of withdrawal of share capital; a member disputes the power of the society to suspend the right of withdrawal, and enters an action in the County Court to compel the society to pay him his share capital. The society has a rule providing that all disputes, relating to matters arising out of the rules of the society, shall be settled by arbitration, and stating also how the arbitrators shall be appointed. The society, in reply to such action, refers to Section 49 of this Act, and produces copy of its rules providing for the settlement of disputes, and claims that all such matters are outside the jurisdiction of the law courts. Neither the County Court nor the Court of Summary Jurisdiction can then take cognisance of such action.

The present Act extends the right of settlement to any such dispute which may arise with a person *who is not a member*, if such person has been a member at some time within the six months previous to the date of the dispute.

#### SECTION 50.—*Inspection of Affairs by the Registrar.*

CLAUSE (1). Inspection of the affairs of a society may be ordered or a special meeting of the society may be called by the Registrar, with the consent of the Treasury, on the

application of *one-tenth* of the whole number of members, if such number does not exceed one thousand, or of one hundred members in the case of a society exceeding one thousand members.

CLAUSE (2). The application must be supported by evidence showing the reasons for requiring such inspection or special meeting.

CLAUSE (4). The expenses of such inspection or special meeting shall be paid as directed by the Registrar.

#### SECTION 51.—*Definition of a Special Resolution.*

A special resolution means a resolution passed by a majority of not less than *three-fourths* of such members, entitled to vote, as may have voted at a special general meeting, of which notice has been given according to the rules of the society, and which has been confirmed by a simple majority at a subsequent meeting similarly called, held not less than fourteen days nor more than one month from the date of the first meeting.

#### SECTIONS 52, 53, AND 54.—*Change of Name: Amalgamation: Conversion.*

By special resolution as above defined a society may—

- (1). *Change its name*, with the approval, in writing, of the Registrar ;
- (2). *Amalgamate with, or transfer its engagements to*, any other society ;
- (3). *Convert itself into a Joint-stock Company* : a copy of the resolution under the seal of the Registrar's office, if containing the particulars required to be contained in a memorandum of association, being declared to have the effect of such a memorandum duly signed and attested under the Act.

A resolution for converting a society into a company should name not less than seven persons as the first members of the company, and be accompanied by articles of association declaring all the members of the society to be members of the company. On registering these documents, duly stamped, the persons named and all other members of the society would be incorporated into a company by the name mentioned in the resolution.

**CHANGE OF NAME.**—When it is desired to *change the name* of a society, after the special resolution has been duly passed, application should be made to the Registrar (or to the Co-operative Union) for forms *AA* and *AB*, (see pages 159, 160, and 161) which must be filled up and sent (the former in duplicate) to the Registrar, who will, if there is no valid objection to the change, thereon signify his approval.

**AMALGAMATION.**—In the case of *amalgamation* of two or more societies, the resolutions to be passed will of course depend upon the conditions on which the societies agree to amalgamate; but, where no special circumstances arise, the following resolutions would generally meet the requirements of the case, and should be passed by the requisite majorities at two special meetings of each of the societies concerned :—

**SUGGESTED RESOLUTIONS FOR AMALGAMATION.**

This society and the \_\_\_\_\_ Limited shall be amalgamated on the conditions following :—

- (1). The name of the amalgamated society shall be the \_\_\_\_\_ Limited.
- (2). The rules of the society shall be the rules of the \_\_\_\_\_ Limited.
- (3). All the members of each of the above-named societies at the time when this resolution is registered shall be members of the amalgamated society, each of whom respectively shall be credited in the books of the society with the like amounts of shares, share capital, loans, deposits, dividend and interest, as are standing to his or her credit in the books of the society of which he or she is a member at the date of such registration.
- (4). The amalgamated society shall be credited with all the assets of each of the above-named societies at the date of the registration of this resolution, and shall undertake all the obligations affecting either of the said societies at such date.

When these special resolutions have been duly passed, the society should apply to the Registrar (or to the Co-operative Union) for Forms *AB* and *AC* (see pages 160, 161, and 162), which must be filled up and sent (the latter in duplicate) to the Registrar for registration.

**TRANSFER OF ENGAGEMENTS.**—For a transfer of engagements, Forms *AB*, *AD*, and *AE* (see pages 160, 163, 164, and 165) must be obtained, and dealt with in manner above set forth.

**CONVERSION INTO, OR AMALGAMATION WITH, A COMPANY.**—For the purpose of conversion into, or amalgamation with, a company the following forms must be used :—

For Conversion—Forms *AB* and *AF* (see pages 160, 165, and 166).

For Amalgamation—Forms *AB*, *AC*, *AD*, and *AG* (see pages 160, 161, 162, 163, 164, and 166).

The Treasury Regulations should be read carefully to ascertain which forms are required to be sent in duplicate.

In all cases of amalgamation under this Act, the property of the respective societies becomes vested in the amalgamated society without any form of conveyance other than the special resolution amalgamating the societies.

#### SECTION 55.—*Conversion of a Company into a Society.*

A company may be converted into a society by a special resolution passed as aforesaid, on observing the conditions and forms set forth in the Act

#### SECTIONS 58 AND 59.—*Dissolution of Societies.*

A society may be dissolved—

- (1). By an order to wind up the society as companies may be wound up, but made by the county court in England or the sheriff's court in Scotland.
- (2). By a resolution for a voluntary winding-up, made as directed by the Companies Acts.
- (3). By an instrument of dissolution, signed by three-fourths of the members, made in Form *AH* (see page 167), which can be obtained from the Registrar, or from the office of the Co-operative Union.

For a small society the instrument of dissolution will be the best and most economical method of winding-up, as all that is required is to obtain the signatures of three-

fourths of the members ; but larger societies, by reason of the difficulty of obtaining such signatures, will naturally be compelled to resort to the plan of winding-up by resolution.

The resolution for a voluntary winding-up may be either "special" or "extraordinary." The latter form is generally used in cases of emergency, where it is desirable to take prompt action to protect the property of the society in the interests of the members and the general body of creditors. In order to pass an extraordinary resolution it must be so defined on the notice calling the special meeting, and must be passed by a three-fourths majority as required in the case of a special resolution. An extraordinary resolution does not require the confirmation of a second special meeting. The notice of a meeting to pass an extraordinary resolution should take the following form :—

"..... Society Limited.

#### NOTICE.

A special and extraordinary meeting of the society will be held at , at p.m. prompt.

#### BUSINESS.

To pass the following extraordinary resolution :—

- (1). That it has been proved to the satisfaction of the meeting that the society cannot by reason of its liabilities continue its business, and it is advisable to wind up the same.
- (2). To appoint a liquidator.

(Signed) ..... Secretary."

The extraordinary resolution, when duly passed, must be published in the *Gazette* for England, Scotland, or Ireland, as the case may be. For this purpose a form may be obtained through the Central Office of the Co-operative Union, such form must contain a copy of the resolution and be signed by a solicitor as a witness.

The Companies Acts 1862 to 1890 apply to the winding-up of societies, except that the term "Registrar" in such Acts shall have the meaning given to it by Section 79 of this Act.

SECTION 60.—*Liability of Members in Winding-up.*

- (1). *The liability of members on a winding-up order or voluntary liquidation*—Is limited in all cases to the sum unpaid on the shares for which they are liable ;
- (2). If they have ceased to be members for more than a year, it is at an end ;
- (3). If they have been members within a year, it exists as to debts due when they ceased to be members, if their contributions are required to pay these debts ;
- (4). If they have withdrawn any shares within a year, it exists in respect to them, as to all debts due when the shares were withdrawn, if their contributions are required to pay these debts.

SECTION 61.—*Provisions as to Instrument of Dissolution.*

- The Instrument of Dissolution.*—(1) Must be in Form *AH* (see page 167), and must state the liabilities and assets of the society ; the number of members and nature of their interests ; the claims of creditors and the provision made for them ; and the intended appropriation of the property of the society.
- (2). It must be supported by a statutory declaration in Form *AI* (see page 168), that the provisions of the Act have been complied with, made by the secretary and three members, who, if knowingly making a false declaration, will be guilty of a misdemeanour ;
  - (3). It must be registered in the same manner as the rules, and will be acknowledged by the Registrar in Form *AK* (see page 168), and is then binding on all the members ;
  - (4). Notice of it is to be given in the *Gazette* and some newspaper circulating in the county where the office of the society is situate in Form *AL* (see page 169), and proceedings may be taken within three months in the county court of the district, to set it aside ;
  - (5). If set aside, the society is to give notice to the Registrar's office.



## SECTIONS 62, 63, 64, 65, 66, 67, 68, 69, AND 70.—

*Offences and Penalties.*

These sections relate to offences and penalties under the Act.

Ordinary offences, for which a *penalty not exceeding £5* may be inflicted on the society or officer guilty of the offence, are—

- (1) Failing to give any notice or send any return or document required by the Act ;
- (2) Failing to do or allow to be done any act or thing which the society is required by this Act to do or allow to be done ;
- (3) Wilfully neglecting or refusing to furnish information required for the purposes of this Act by the Chief Registrar or person appointed by him ;
- (4) Making a false or insufficient return ;
- (5) Carrying on banking business while the society has any withdrawable capital, or failing to make out the statement required to be kept by societies doing banking business ;
- (6) Giving to any person a copy of any rules other than the registered rules for the time being, with intent to mislead and on the pretence that such are the existing rules of the society.

A special penalty, *not exceeding £50* for each separate offence, is imposed on a society, or on its officers who commit the offence, for the undermentioned offences :—

- (1) The wilful making or permitting any entry, erasure in, or omission from any balance sheet, contribution or collecting book, or return or document required under the Act, with intent to falsify it or evade any provision of the Act ;
- (2) The using as the seal of the society any seal on which its name is not engraved ;
- (3) The issuing, or authorising to be issued, any notice, advertisement, or other official publication, or bill of parcels, invoice, receipt, or letter of credit of the society, or signing or authorising to be signed on its behalf, any

bill of exchange, promissory note, endorsement cheque, order for money or goods, or wherein its registered name is not mentioned. In addition to which, the person guilty of this default will incur a personal liability to pay any such bill of exchange, promissory note, cheque, or order for money or goods, if not duly met by the society.

It not unfrequently happens that societies use bill-heads or stationery on which is printed an abbreviation or variation of their registered name. Such practice is clearly an offence under the Act, and should be at once discontinued, otherwise the societies may have to suffer severely for their neglect.

Section 64 deals more especially with fraud and misappropriation, and provides that if any person wilfully misapplies the property of a society, or obtains possession of such property by false representation or imposition, he shall be liable on summary conviction to a *fine not exceeding £20*, or, in default of payment, to three months' imprisonment.

#### SECTION 71.—*Remuneration of County Court Officers.*

This section provides for the scale of remuneration to be paid to county court officers, for the duties to be performed by them under this Act.

#### SECTION 72.—*Public Auditors.*

Provides for the appointment by the Treasury of public auditor, who may be employed by societies at a rate of remuneration to be fixed by the Treasury.

#### SECTIONS 73 AND 74.—*Fees and Regulations.*

The Treasury, with the approval of Parliament, may from time to time make regulations as regards the forms to be used under this Act, and the fees to be paid in connection with such matters as are required to be transacted.

SECTION 75.—*Evidence of Documents.*

Every document bearing the stamp of the central office, or purporting to be signed by any registrar, inspector, or public auditor, shall be received in evidence without further proof.

SECTION 76.—*Duties of the Registrars.*

Sub-sections 6, 7, 8, and 9, of section 10 of the Friendly Societies Act, 1875, are made to apply to the duties of the registrars in relation to industrial and provident societies. They are—

- (6). The Chief Registrar shall every year lay before Parliament a report of his proceedings and of those of the Assistant Registrars, and of the principal matters transacted by him and them and of the valuations returned to or caused to be made by the Registrar during the year preceding.
- (7). The Assistant Registrars shall, except as after provided, be subordinate to the Chief Registrar. They shall, within the countries for which they are respectively appointed, exercise all functions and powers by this Act given to the Registrar, and may also, by the written authority of the Chief Registrar, exercise such of the functions and powers by this Act given to the Chief Registrar as he shall from time to time delegate to them.
- (8). Subject to any regulations to be made under this Act, the Assistant Registrars for Scotland and Ireland respectively shall—
  - (a) Exercise all the functions and powers now vested in the registrars of friendly or building societies for Scotland and Ireland respectively, or as respects building societies and societies instituted for purposes of science, literature, or the fine arts, vested in Scotland in the Lord Advocate or his depute appointed to certify the rules of friendly societies there, or in Ireland in the barrister appointed to certify the rules of friendly societies there, and shall be entitled to receive all fees payable to such Registrar, Lord Advocate or his depute, or barrister respectively, and so that all provisions in any

Acts of Parliament not hereby repealed relating to such Registrar, Lord Advocate or his depute, or barrister respectively, shall be construed as applying to such Assistant Registrars respectively :

- (b) Send to the central office copies of all such documents registered or recorded by them as the Chief Registrar shall from time to time direct :
  - (c) Record all such documents and matters as shall be sent to them for record from the central office, and such other documents and matters as herein provided :
  - (d) Circulate and publish, or transmit to or from societies registered within their respective countries, from or to the central office, such information and documents relating to the purposes of this Act as the Chief Registrar, with the approval of the Treasury, shall from time to time direct :
  - (e) Report from time to time their proceedings to the Chief Registrar as he shall direct.
- (9). No Assistant Registrar for Scotland or Ireland shall refuse to record any rules or amendments of rules which have been registered by the central office.

#### SECTIONS 77 AND 78.—*The Channel Islands.*

These sections make some variations in the general provisions of the Act so far as regards the Channel Islands.

#### SECTION 79.—*Interpretation and Definitions.*

The various terms used in the Act are here interpreted and defined.

#### SECTION 80.—*Repeals.*

By this section the following enactments are repealed, viz. :  
 The Industrial and Provident Societies Act, 1876. The Customs and Inland Revenue Act, 1880, Sec. 8. The Provident Nomination and Small Intestacies Act, 1883, so far as relates to Industrial and Provident Societies.

In conclusion I desire, on behalf of the Co-operative Union, to express our grateful acknowledgments to all those gentlemen who, by their valuable assistance, have contributed towards the passing of the Act in its present form. First and foremost, our thanks are due to Mr. Geo. Howell, M.P., for his perseverance and energy in piloting the Bill through the House of Commons, and in like measure to our old and tried friend the Marquis of Ripon (Secretary for the Colonies) for similar service in the House of Lords. E. W. Brabrook, Esq., Chief Registrar of Friendly Societies, has from time to time given most valuable suggestions as to the construction of the Bill, while the Right Hon. Sir J. T. Hibbert (Parliamentary Secretary to the Treasury) has bestowed the most painstaking consideration on the provisions of the Bill so far as the Treasury Department is concerned.

# INDUSTRIAL AND PROVIDENT SOCIETIES ACT, 1893.

[56 AND 57 VICT. CH. 39.]

## ARRANGEMENT OF SECTIONS.

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SCHEDULES.

A.D. 1898.

# AN ACT

## To Consolidate and Amend the Laws Relating to Industrial and Provident Societies.

---

12TH SEPTEMBER, 1898.

---

**W**HEREAS it is expedient to consolidate and amend the law relating to industrial and provident societies :

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

### *Preliminary.*

Short title of Act.

1.—This Act may be cited as the Industrial and Provident Societies Act, 1898.

Extent of Act.

2.—This Act shall come into operation on the first day of January next after the passing thereof, and shall extend to Great Britain and Ireland and the Channel Islands.

Existing societies.

3.—Every incorporated society now existing which has been registered or certified under any Act relating to industrial and provident societies shall be deemed to be a society registered under this Act, and its rules shall, so far as the same are not contrary to any express provision of this Act, continue in force until altered or rescinded.

*Registration of Societies.*

A D 1891.

4.—A society which may be registered under this Act (herein called an industrial and provident society) is a society for carrying on any industries, businesses, or trades specified in or authorised by its rules, whether wholesale or retail, and including dealings of any description with land. Provided that—

Societies which may be registered.

- (a) No member other than a registered society shall have or claim any interest in the shares of the society exceeding two hundred pounds, and
- (b) In regard to the business of banking, the society shall be subject to the provisions hereinafter contained.

5 —With respect to the registry of new societies the following provisions shall have effect:—

Conditions of registration.

- (1.) No society can be registered under this Act which does not consist of seven persons at least;
- (2.) For the purpose of registry an application to register the society, signed by seven members and the secretary, and two printed copies of the rules, shall be sent to the Registrar;
- (3.) No society shall be registered under a name identical with that under which any other existing society is registered, or so nearly resembling such name as to be likely, or in any name likely, in the opinion of the Registrar, to mislead the members or the public as to its identity, and no society shall change its name except in the manner herein-after provided.
- (4.) A society registered under the Industrial and Provident Societies Act, 1852, and not registered under the Industrial and Provident

A.D. 1898.

Societies Acts, 1862, 1867, or 1876, may obtain from the Registrar an acknowledgment of registry under this Act;

(5.) The word "limited" shall be the last word in the name of every society registered under this Act;

(6.) A society carrying or intending to carry on business in more than one part of the United Kingdom shall be registered in the part in which its registered office, as herein mentioned, is situate; but copies of the rules of the society and of all amendments of the same shall, when registered, be sent to the Registrar of each of the other parts to be recorded to him, and until such rules are so recorded the society shall not be entitled to any of the privileges of this Act in the part in which such rules have not been recorded, and until such amendments are so recorded the same shall not take effect in such part.

Acknowledgment of registry.

6.—The Registrar on being satisfied that a society has complied with the provisions as to registry in force under this Act, shall issue to such society an acknowledgment of registry.

Appeals from refusal to register.

7.—(1.) If the Registrar refuses to register the society or any rules or amendments of rules, the society may appeal from such refusal as follows:—

(a) In England or Ireland to the High Court;

(b) In Scotland to either division of the Inner House of the Court of Session.

(2.) If the refusal of registry is overruled on appeal, an acknowledgment of registry shall thereupon be given to the society by the Registrar.

8.—The acknowledgment of registry shall be conclusive evidence that the society therein mentioned is duly registered, unless it is proved that the registry of the society has been suspended or cancelled.

A.D. 1898.  
Effect of  
acknowledg-  
ment of registry.

*Cancelling and Suspension of Registry.*

9.—(1.) The Registrar may cancel the registry of a society by writing under his hand or seal :

Cancelling and  
suspension of  
registry.

- (a) If at any time it is proved to his satisfaction that the number of the members of the society has been reduced to less than seven, or that an acknowledgment of registry has been obtained by fraud or mistake, or that the society has ceased to exist ;
- (b) If he thinks fit, at the request of a society, to be evidenced in such manner as he shall from time to time direct ;
- (c) With the approval of the Treasury, on proof to his satisfaction that the society exists for an illegal purpose, or has wilfully and after notice from a registrar violated any of the provisions of this Act.

(2.) The Registrar, in any case in which he might, with the approval of the Treasury, cancel the registry of a society, may suspend the same, by writing under his hand or seal, for any term not exceeding three months, and may, with the approval of the Treasury, renew such suspension from time to time for the like period.

(3.) Not less than two months' previous notice in writing, specifying briefly the ground of any proposed cancelling or suspension of registry, shall be given by the Registrar to a society before the registry of the same can be cancelled (except at its request) or suspended ; and notice of every cancelling or suspension shall be published in the *Gazette*, and in some local

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newspaper circulating in or about the locality in which the registered office of the society is situated, as soon as practicable after the same takes place.

- (4.) A society may appeal from the cancelling of its registry, or from any suspension of the same which is renewed after three months, in manner herein provided for appeals from the Registrar's refusal to register.
- (5.) A society whose registry has been suspended or cancelled shall from the date of publication in the *Gazette* of notice of such suspension or cancelling (but, if suspended, only whilst such suspension lasts, and subject also to the right of appeal hereby given) absolutely cease to enjoy as such the privileges of a registered society, but without prejudice to any liability actually incurred by such society, which may be enforced against the same as if such suspension or cancelling had not taken place.

### *Rules.*

**Rules and  
amendments.**

- 10.—(1.) The rules of a society registered under this Act shall contain provisions in respect of the several matters mentioned in the Second Schedule to this Act.
- (2.) An amendment of a rule of a society registered under this Act shall not be valid until the same has been registered under this Act, for which purpose two copies of the same, signed by three members and the secretary, shall be sent to the Registrar.
- (3.) The Registrar shall, on being satisfied that any amendment of a rule is not contrary to the provisions of this Act, issue to the society an acknowledgment of registry of the same, which shall be conclusive evidence that the same is duly registered.

- (4.) A copy of the rules of a registered society shall be delivered by the society to every person on demand, on payment of a sum not exceeding one shilling.
- (5.) The rules of a registered society, or any schedule thereto, may set forth the form of any instrument necessary for carrying the purposes of the society into effect.
- (6.) The rules of every society registered under this Act shall provide for the profits being appropriated to any purposes stated therein or determined in such manner as the rules direct.

*Duties of Registered Societies.*

11.—Every registered society shall have a registered office to which all communications and notices shall be addressed, and shall send to the Registrar notice of the situation of such office, and of every change therein.

Registered  
office.

12.—Every registered society shall paint or affix, and keep painted or affixed, its registered name on the outside of every office or place in which the business of the society is carried on, in a conspicuous position, in letters easily legible, and have its registered name engraven in legible characters on its seal, and have its registered name mentioned in legible characters in all notices, advertisements, and other official publications of the society, and in all bills of exchange, promissory notes, endorsements, cheques, and orders for money or goods, purporting to be signed by or on behalf of such society, and in all bills of parcels, invoices, receipts, and letters of credit of the society.

Publication of  
name.

13.—(1.) Every registered society shall once at least in every year submit its accounts for audit either to one of the public auditors appointed as in this Act mentioned, or to two or more persons appointed as the rules of the society provide.

Audit

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- (3.) The auditors shall have access to all the books, deeds, documents, and accounts of the society, and shall examine the balance sheets showing the receipts and expenditure, funds, and effects of the society, and verify the same with the books, deeds, documents, accounts, and vouchers relating thereto, and shall either sign the same as found by them to be correct, duly vouched, and in accordance with law, or specially report to the society in what respects they find them incorrect, unvouched, or not in accordance with law.

**Annual returns.**

- 14.—(1.) Every registered society shall once in every year, not later than the thirty-first day of March, send to the Registrar an annual return of the receipts and expenditure, funds, and effects of the society as audited.

(2.) The annual return—

- (a) shall be signed by the auditor or auditors :  
and
- (b) shall show separately the expenditure in respect of the several objects of the society ; and
- (c) shall be made out from the date of its registration or last annual return to that of its last published balance sheet, provided that the last-named date is not more than one month before or after the thirty-first of December then last, or otherwise to the said day of December inclusive ; and
- (d) shall state whether the audit has been conducted by a public auditor appointed as by this Act is provided, and by whom, and, if by any persons other than a public auditor, shall state the name, address, and calling or profession of every such person, and the manner in which, and the authority under which, he is appointed.



The society shall, together with the annual return, send a copy of the report of the auditors, or, if more than one such report has been made during the period included in the return, a copy of each of such reports.

A.D. 1908.

15.—Every registered society shall supply gratuitously to every member or person interested in the funds of the society, on his application, a copy of the last annual return of the society for the time being.

Supply of  
copies of  
annual returns

16.—Every registered society shall keep a copy of the last balance sheet for the time being, together with the report of the auditors, always hung up in a conspicuous place at the registered office of the society.

Copy of last  
balance sheet.

### *Inspection of Books*

17.—(1.) Save as provided by this Act, no member or person shall have any right to inspect the books of a registered society, notwithstanding anything in the existing rules relating to such inspection.

Inspection of  
books by  
members.

(2.) Any member or person having an interest in the funds of a registered society shall be allowed to inspect his own account and the books containing the names of the members at all reasonable hours at the registered office of the society, or at any place where the same are kept, subject to such regulations as to the time and manner of such inspection as may be made from time to time by the general meetings of the society.

(3.) A registered society may, by any rules registered after this Act is passed, authorise the inspection of any of its books therein mentioned, in addition to the said books containing the names of members, under such conditions as are thereby imposed, so that no person, unless he be an officer of the society,

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or be specially authorised by a resolution thereof, shall have the right to inspect the loan or deposit account of any other member without his written consent.

Inspection of  
books by order  
of Registrar.

18.—(1.) The Registrar may, if he thinks fit, on the application of ten members of a registered society, each of whom has been a member of the society for not less than twelve months immediately preceding the date of the application, appoint an accountant or actuary to inspect the books of the society, and to report thereon.

(2.) Provided as follows,—

(a) the applicants shall deposit with the Registrar such sum as a security for the costs of the proposed inspection as the Registrar may require; and

(b) all expenses of and incidental to any such inspection shall be defrayed by the applicants, or out of the funds of the society, or by the members or officers, or former members or officers of the society, in such proportions as the Registrar may direct.

(3.) A person appointed under this section shall have power to make copies of any books of the society, and to take extracts therefrom at all reasonable hours at the registered office of the society, or at any place where the books are kept.

(4.) The Registrar shall communicate the results of any such inspection to the applicants and to the society.

#### *Banking by Societies.*

Conditions of  
banking by  
societies.

19.—(1.) No registered society which has any withdrawable share capital shall carry on the business of banking.

(2.) Every registered society which carries on the business of banking shall on the first Mondays in February and August in each year make out and keep conspicuously hung up in its registered office, and every other office or place of business belonging to it where the business of banking is carried on, a statement in the form in the Third Schedule, or as near thereto as the circumstances admit.

(3.) The taking deposits of not more than ten shillings in any one payment, nor more than twenty pounds for any one depositor, payable on not less than two clear days' notice, shall not be included in the business of banking within the meaning of this Act ; but no society which takes such deposits shall make any payment of withdrawable capital while any claim due on account of any such deposit is unsatisfied.

#### *Returns and Documents.*

20.—Every return and other document required for the purposes of this Act shall be made in such form and shall contain such particulars as the Chief Registrar prescribes, and shall be deposited and registered or recorded, with or without observations thereon, in such manner as the Chief Registrar directs.

Form and  
deposit of  
documents.

#### *Privileges of Societies.*

21.—The registration of a society shall render it a body corporate by the name described in the acknowledgment of registry, by which it may sue and be sued, with perpetual succession and a common seal, and with limited liability ; and shall vest in the society all property for the time being vested in any person in trust for the society ; and all legal proceedings pending by or against the trustees of any such society may be prosecuted by or against the society in its registered name without abatement.

Incorporation  
of society with  
limited liability.

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Rules to bind  
members.

**22** —The rules of a registered society shall bind the society and all members thereof and all persons claiming through them respectively to the same extent as if each member had subscribed his name and affixed his seal thereto, and there were contained in such rules a covenant on the part of such member, his heirs, executors, administrators, and assigns, to conform thereto, subject to the provisions of this Act : Provided that a society registered at the time when this Act comes into operation, or the members thereof, may respectively exercise any power given by this Act, and not made to depend on the provisions of its rules, notwithstanding any provision contained in any rule thereof registered before this Act was passed.

Remedy for  
debts from  
members.

**23.**—(1.) All moneys payable by a member to a registered society shall be a debt due from such member to the society, and shall be recoverable as such either in the County Court of the district in which the registered office of the society is situate, or in that of the district in which such member resides, at the option of the society.

(2.) A registered society shall have a lien on the shares of any member for any debt due to it by him, and may set off any sum credited to the member thereon in or towards the payment of such debt.

Exemption from  
income tax.

**24.**—A registered society shall not be chargeable under Schedules *C* and *D* of the Income Tax Acts unless it sells to persons not members thereof, and the number of shares of the society is limited either by its rules or its practice. But no member of or person employed by the society shall be exempt from any assessment to the said duties to which he would be otherwise liable.

Power of  
nomination  
for sums not  
exceeding  
one hundred  
pounds.

**25.**—(1.) A member of a registered society, not being under the age of sixteen years, may, by a writing under his hand, delivered at or sent to the registered office of the society during

the lifetime of such member, or made in any book kept thereat, nominate any person or persons other than an officer or servant of the society (unless such officer or servant is the husband, wife, father, mother, child, brother, sister, nephew, or niece of the nominator) to or among whom his property in the society, whether in shares, loans, or deposits, or so much thereof as is specified in such nomination, if the nomination does not comprise the whole, shall be transferred at his decease, provided the amount credited to him in the books of the society does not then exceed one hundred pounds sterling.

- (2.) A nomination so made may be revoked or varied by any similar document under the hand of the nominator, delivered, sent, or made as aforesaid, but shall not be revocable or variable by the will of the nominator or any codicil thereto.
- (3.) The society shall keep a book wherein the names of all persons so nominated and of all revocations or variations, if any, of such nominations shall be regularly entered. And the property comprised in any such nomination shall be payable or transferable to the nominees, although the rules of the society declare the shares to be generally not transferable.

- 26.—(1.) On receiving satisfactory proof of the death of a nominator, the committee of the society shall either transfer the property comprised in the nomination in manner directed by it, or pay to every person entitled thereunder the full value of the property given to him, unless the shares comprised therein, if transferred as directed by the nominator, would raise the share capital of any nominee to a sum exceeding two hundred pounds, in which case they shall pay him the value of such shares.

Proceedings on  
the death of a  
nominator.

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- (2.) If the total property of the nominator in the society at his death exceeds eighty pounds the committee shall, before making any payment, require production of a duly stamped receipt for the succession or legacy duty payable thereon, or a letter or certificate stating that no such duty is payable, from the Commissioners of Inland Revenue, who shall give such receipt, letter, or certificate, on payment of the duty, or satisfactory proof of no duty being payable, as the case may be.

Provisions for  
intestacy.

- 27.—(1.) If any member of a registered society entitled to property therein in respect of shares, loans, or deposits, not exceeding in the whole, at his death, one hundred pounds, dies intestate, without having made any nomination thereof then subsisting, the committee may, without letters of administration, distribute the same among such persons as appear to them, on such evidence as they deem satisfactory, to be entitled by law to receive the same, subject, if such property exceeds eighty pounds, to the obtaining from the Commissioners of Inland Revenue a receipt for the succession or legacy duty payable thereon, or a letter or certificate stating that no such duty is payable.

- (2.) If any such member is illegitimate and leaves no widow, widower, or issue, the committee shall deal with his property in the society as the Treasury shall direct.

Probate duty  
to be paid  
where the whole  
estate exceeds  
one hundred  
pounds.

- 28.—If elsewhere than in Scotland the whole personal estate, or in Scotland the whole movable estate, of any person entitled to make a nomination under this Act exceeds one hundred pounds sterling, any sum paid under this Act without probate or letters of administration shall, notwithstanding such nomination or payment, be liable to probate duty as part of the amount on which such duty is charged,

and the committee, before making any such payment, may require a statutory declaration by the claimant or one of the claimants that the total personal or movable estate of the deceased, including the sum in question, does not, after deductions of debts and funeral expenses, exceed the value of one hundred pounds.

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29.—Where a member or person claiming through a member of a society is insane, and no committee of his estate or trustee of his property has been duly appointed, the society may, when it is proved to the satisfaction of the committee that it is just and expedient so to do, pay the amount of the shares, loans, and deposits not exceeding one hundred pounds belonging to such member or person, to any person whom they shall judge proper to receive the same on his behalf, whose receipt shall be a good discharge to the society for any sum so paid.

Power to deal with the property of insane or lunatic members.

30.—All payments or transfers made by the committee of a registered society, under the provisions of this Act with respect to payments or transfers to or on behalf of deceased or insane members, to any person who at the time appears to the committee to be entitled thereunder, shall be valid and effectual against any demand made upon the committee or society by any other person.

Payments to persons apparently entitled valid.

31.—(1.) When any person in whose name any stock belonging to a registered society transferable at the Bank of England or Bank of Ireland is standing, either jointly with another or others or solely, as a trustee therefor, is absent from Great Britain or Ireland respectively, or becomes bankrupt, or files any petition or executes any deed for liquidation of his affairs by assignment or arrangement, or for composition with his creditors, or becomes a lunatic, or is dead, or has been removed from his office of trustee, or if it be unknown

Transfer of stock standing in name of trustee.

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whether such person is living or dead, the Chief Registrar, on application in writing from the secretary and three members of the society, and on proof satisfactory to him, may direct the transfer of the stock into the names of any other persons as trustees for the society.

(2.) The transfer shall be made by the surviving or continuing trustees, and if there be no such trustee, or if such trustees refuse or be unable to make such transfer, and the Chief Registrar so directs, then by the Accountant General or Deputy or Assistant Accountant General of the Bank of England or Bank of Ireland, as the case may be.

(3.) The Banks of England and Ireland are hereby indemnified for anything done by them or any of their officers in pursuance of this provision against any claim or demand of any person injuriously affected thereby.

Membership  
of minors.

32.—A person under the age of twenty-one, but above the age of sixteen, may be a member of a registered society, unless provision be made in the rules thereof to the contrary, and may, subject to the rules of the society, enjoy all the rights of a member (except as by this Act provided), and execute all instruments and give all acquittances necessary to be executed or given under the rules, but shall not be a member of the committee, trustee, manager, or treasurer of the society.

Promissory  
notes and bills  
of exchange

33.—A promissory note or bill of exchange shall be deemed to have been made, accepted, or endorsed on behalf of any society if made, accepted, or endorsed in the name of the society, or by or on behalf or account of the society, by any person acting under the authority of the society.

Register of  
members or  
shares.

34.—Any register or list of members or shares kept by any society shall be *primâ facie* evidence of any of the following particulars entered therein :—



- (a) The names, addresses, and occupations of the members, the number of shares held by them respectively, the numbers of such shares, if they are distinguished by numbers, and the amount paid or agreed to be considered as paid on any such shares ;
- (b) The date at which the name of any person, company, or society was entered in such register or list as a member ;
- (c) The date at which any such person, company, or society ceased to be a member.

A.D. 1888.

**35.—Contracts on behalf of a registered society may be made, varied, or discharged as follows :—**

**Contracts—how made, varied, or discharged.**

- (a) Any contract, which if made between private persons would be by law required to be in writing, and if made according to the English law to be under seal, may be made on behalf of the society in writing under the common seal of the society, and may in the same manner be varied or discharged ;
- (b) Any contract, which if made between private persons would be by law required to be in writing and signed by the persons to be charged therewith, may be made on behalf of the society in writing by any person acting under the express or implied authority of the society, and may in the same manner be varied or discharged ;
- (c) Any contract under seal which, if made between private persons, might be varied or discharged by a writing not under seal, signed by any person interested therein, may be similarly varied or discharged on behalf of the society by a writing not under seal, signed by any person acting under the express or implied authority of the society ;
- (d) Any contract, which if made between private persons would be by law valid though made by parol only and not reduced into writing, may

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be made by parol on behalf of the society by any person acting under the express or implied authority of the society, and may in the same manner be varied or discharged ;

- (e) A signature, purporting to be made by a person holding any office in the society, attached to a writing whereby any contract purports to be made, varied, or discharged by or on behalf of the society, shall *primâ facie* be taken to be the signature of a person holding at the time when the signature was made the office so stated.

All contracts which may be or have been made, varied, or discharged according to the provisions contained in this section, shall, so far as concerns the form thereof, be effectual in law and binding on the society and all other parties thereto, their heirs, executors, or administrators, as the case may be.

### *Property and Funds of Registered Society.*

Holding of land.

**36.**—A registered society may (if its rules do not direct otherwise) hold, purchase, or take on lease in its own name any land, and may sell, exchange, mortgage, lease, or build upon the same, or grant bonds and dispositions on security or other heritable securities over the same (with power to alter and pull down buildings and again rebuild), and no purchaser, assignee, mortgagee, tenant, or bondholder shall be bound to inquire as to the authority for any such sale, exchange, mortgage, or lease by the society, and the receipt of the society shall be a discharge for all moneys arising from or in connection with such sale, exchange, mortgage, lease, or heritable security.

Provision as to copyholds.

**37.**—Where any registered society is entitled in equity to any hereditaments of copyhold or customary tenure, either absolutely or by way of mortgage or security, the lord of the manor of which the same are held shall from time to time, if the society so require,

admit such persons (not to exceed three) as such society appoints to be trustees on its behalf, as tenants in respect of such hereditaments, on payment of the usual fines, fees, and other dues payable on the admission of a single tenant, or may admit the society as tenant in respect of the same on payment of such special fine or compensation, in lieu of fine and fees, as may be agreed upon between such lord and the society.

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38.—(1.) A registered society may invest any part of its capital in or upon any security authorised by its rules, and also, if the rules do not direct otherwise—

Investments by societies.

(a) in or upon any security in which trustees are for the time being authorised by law to invest; and

(b) in or upon any mortgage, bond, debenture, debenture stock, corporation stock, annuity, rentcharge, rent, or other security (not being securities payable to bearer) authorised by or under any Act of Parliament passed or to be passed of any local authority as defined by section thirty-four of the Local Loans Act, 1875; and

38 & 39 Vict.,  
c. 83.

(c) in the shares or on the security of any other society registered or deemed to be registered under this Act, or under the Building Societies Acts, or of any company registered under the Companies Acts or incorporated by Act of Parliament or by charter, provided that no such investment be made in the shares of any society or company other than one with limited liability.

(2.) A society so investing shall be deemed to be a person within the meaning of the Companies Acts, and of the Building Societies Acts.

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(3.) Any investments made before the passing of this Act, which would have been valid if this Act had then been in force, are hereby ratified and confirmed.

Power to invest  
in savings  
banks.

**39.**—A society (not being one chargeable with income tax in pursuance of this Act) may invest its capital and funds, or any part thereof to any amount, in any savings bank certified under the Trustee Savings Banks Act, 1863, or in a post office savings bank.

26 & 27 Vict.,  
c. 87.

Advances to  
members.

**40.**—The rules of a registered society may provide for advances of money to members on the security of real or personal property, or in the case of a society registered to carry on banking business in any manner customary in the conduct of such business.

Societies mem-  
bers of other  
bodies corporate  
may vote by  
proxy.

**41.**—A registered society which has invested any part of its capital in the shares or on the security of any other body corporate may appoint as proxy any one of its members, although such member is not personally a shareholder of such other body corporate. The proxy shall, during the continuance of his appointment, be taken in virtue thereof as holding the number of shares held by the society by whom he is appointed for all purposes except the transfer of any such shares, or the giving receipts for any dividends thereon.

Any body corpo-  
rate may hold  
shares in a  
society.

**42.**—Any other body corporate may, if its regulations permit, hold shares by its corporate name in a registered society.

*Discharge of Mortgages by Receipt Endorsed.*

Discharge of  
mortgages by  
receipt  
endorsed.

**43.**—In England and Ireland—

(1.) A receipt in full, signed by two members of the committee, and countersigned by the secretary, of a registered society, for all moneys

secured to the society on the security of any property to which such receipt relates, and being in the Form A, in the Third Schedule to this Act, or in any other form specified in the rules of the society or any schedule thereto, if endorsed on or annexed to any mortgage or assurance, shall vacate the same and vest the property therein comprised in the person entitled to the equity of redemption thereof without any formal reconveyance or surrender

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- (2) If such mortgage or other assurance has been registered under any Act for the registration or record of deeds or titles, or is of copyholds or lands of customary tenure, and is entered on any court rolls, the Registrar under such Act, or recording officer, or steward of the manor, or keeper of the register, shall, on production of such receipt, verified by oath or statutory declaration of any person, enter satisfaction on the register or on the court rolls respectively of such mortgage or of the charge made by such assurance, and shall grant a certificate, either upon such mortgage or assurance or separately to the like effect, which certificate shall be received in evidence in all courts and proceedings without further proof; and such Registrar, recording officer, steward, or keeper of the register shall be entitled, for making the said entry and granting the said certificate, to a fee of two shillings and sixpence, which in Ireland shall be paid by stamps and applied in accordance with the Public Offices Fees Act, 1879.

42 & 43 Vict.,  
c. 58.

#### 44.—In Scotland—

- (1.) A receipt in full, signed by two members of the committee, and countersigned by the secretary, of a registered society, for all moneys secured to the society on the security of any property to which such receipt relates, and

Discharge of  
mortgages in  
Scotland.

A.D. 1898.

being in or as nearly as may be in the Form B, in the Third Schedule to this Act, if endorsed on or annexed to any heritable security other than one in the form of an *ex-facie* or other absolute conveyance or disposition, shall, on the registration thereof in the appropriate register of sasines, operate as a renunciation and discharge of such heritable security, and effectually disburden the lands, or estate in land, or other subjects comprised therein, in the same manner and to the same effect as if a formal discharge containing all usual clauses according to the present practice had been granted by the society.

(2.) Such a receipt so signed, and being in or as nearly as may be in the Form C, in the said schedule, endorsed on or annexed to any heritable security in the form of an *ex-facie* or other absolute conveyance, or of an absolute disposition, whether qualified by a back bond or not, shall, on the registration thereof in the appropriate register of sasines, effectively discharge the heritable security so constituted, and disburden the lands, or estate in land, or other subjects comprised in the heritable security, and vest and convey the same in and to the person or persons entitled thereto at the date of the granting of the receipt, and that to the same effect and in the same manner as if a formal conveyance, containing all usual clauses according to the present practice, had been granted by the society to such person or persons and duly recorded.

(3.) Such a receipt so signed, and being in or as nearly as may be in the Form D, in the said schedule hereto, endorsed on or annexed to any security or assurance other than a heritable security, shall (on being duly intimated where the original security or assurance was intimated) vacate the same, and re-vest the property therein comprised in the person or

persons entitled to the same, without the necessity of any more formal discharge or other deed.

A.D. 1868

(4.) Nothing herein contained shall preclude any person or persons from adopting the forms and procedure presently in use in lieu of those provided under this Act, and, in case of any error or defect in connexion with the use of the forms under this Act, it shall be competent of new to make and record any deed or deeds which may be necessary, whether under this Act or otherwise.

(5.) The registration of such receipts as aforesaid shall be made in conformity with the provisions regulating registration in the registers concerned, but the dues on the registration of any one receipt shall in no case exceed five shillings. No stamp duty shall be payable on any receipt registered under this section.

(6.) In this section, and in the schedule relating hereto, the expressions "heritable security," "lands" (including "land"), "estate in land," "debtor," "successors" (including "successor"), "deed" or "deeds," and "conveyance," shall each respectively have the meaning attached thereto by the Titles to Land Consolidation (Scotland) Act, 1868, the Titles to Land Consolidation (Scotland) Amendment Act, 1869, and the Conveyancing (Scotland) Act, 1874, and the expression "heritable security" shall include securities over lands or estates in lands by way of *ex-facie* or other absolute dispositions whether qualified by a back bond or not.

81 & 82 Vict.,  
c. 101.  
82 & 83 Vict.,  
c. 116.  
87 & 88 Vict.,  
c. 94.

45.—Where a registered society is in liquidation, the signature to such a receipt as aforesaid of the liquidator or liquidators for the time being, described as such, shall have the same effect, and shall be

Receipt in case  
of society in  
liquidation.

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.....

entitled to the same exemption from stamp duty, as would under this Act attach to a similar receipt signed as aforesaid if the society were not in liquidation.

Execution of  
deeds.

46.—(1.) Any deed or writ to which any registered society is a party shall be held to be duly executed on behalf of such society in Scotland if it is either executed in conformity with the present law thereof or is sealed with the common seal of the society, subscribed on its behalf by two members of the committee and the secretary of the society, whether such subscription is attested by witnesses or not.

(2.) On payment of all moneys intended to be secured to a society by any of the aforesaid securities, the debtor or his successor or representatives shall be entitled to a receipt in the appropriate form provided by this Act.

*Officers in receipt or charge of Money.*

Security by  
officers.

47.—Every officer of a registered society having receipt or charge of money, if the rules of the society require, shall, before taking upon himself the execution of his office, become bound, either with or without a surety as the committee may require, in a bond according to one of the forms set forth in the Third Schedule to this Act, or such other form as the committee of the society approve, or give the security of a guarantee society in such sum as the committee directs, conditioned for his rendering a just and true account of all moneys received and paid by him on account of the society at such times as its rules appoint, or as the society or the committee thereof require him to do, and for the payment by him of all sums due from him to the society.

Accounts of  
officers.

48.—(1.) Every officer of a registered society having receipt or charge of money, or his executors or administrators, shall, at such times as by the rules of the society he should



render account, or upon demand made, or notice in writing given or left at his last or usual place of residence, give in his account as may be required by the society, or by the committee thereof, to be examined and allowed or disallowed by them, and shall, on the like demand or notice, pay over all moneys and deliver all property for the time being in his hands or custody to such person as the society or the committee appoint; and in case of any neglect or refusal to deliver such account, or to pay over such moneys or to deliver such property in manner aforesaid, the society may sue upon the bond or security before mentioned, or may apply to the County Court (which may proceed in a summary way), or to a court of summary jurisdiction, and the order of either such court shall be final and conclusive.

- (2.) This section shall apply to every servant of a registered society in receipt or charge of money in every case where he is not engaged under a special agreement to account.

#### *Disputes.*

- 49.—(1.) Every dispute between a member of a registered society, or any person aggrieved who has for not more than six months ceased to be a member of a registered society, or any person claiming through such member or person aggrieved, or claiming under the rules of a registered society, and the society or an officer thereof, shall be decided in manner directed by the rules of the society, if they contain any such direction, and the decision so made shall be binding and conclusive on all parties without appeal, and shall not be removable into any court of law or restrainable by injunction; and application for the enforcement thereof may be made to the County Court.

Decision of  
disputes.

- (2.) The parties to a dispute in a society may, by consent (unless the rules of such society expressly forbid it), refer such dispute to the

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Chief Registrar, or to the Assistant Registrar in Scotland or Ireland, who shall, with the consent of the Treasury, either by himself or by any other Registrar, hear and determine such dispute, and shall have power to order the expenses of determining the same to be paid either out of the funds of the society or by such parties to the dispute as he shall think fit, and such determination and order shall have the same effect and be enforceable in like manner as a decision made in the manner directed by the rules of the society.

(3.) The Chief or other Registrar to whom any dispute is referred may administer oaths, and may require the attendance of all parties concerned and of witnesses, and the production of all books and documents relating to the matter in question; and any person refusing to attend, or to produce any documents, or to give evidence before such Chief or other Registrar, shall be guilty of an offence under this Act

(4.) Where the rules of a society direct that disputes shall be referred to justices, the dispute shall be determined by a court of summary jurisdiction;

Provided that in every case of dispute cognisable under the rules of a society by a court of summary jurisdiction, it shall be lawful for the parties thereto to enter into a consent referring such dispute to the County Court, which may hear and determine the matter in dispute.

(5.) Where the rules contain no direction as to disputes, or where no decision is made on a dispute within forty days after application to the society for a reference under its rules, the member or person aggrieved may apply either to the County Court, or to a court of summary jurisdiction, which may hear and determine the matter in dispute.

- (6.) Notwithstanding anything contained in the Arbitration Act, 1889, or in any other Act, the court and the Chief or other Registrar shall not be compelled to state a special case on any question of law arising in the case, but the court or Chief or other Registrar, may, at the request of either party, state a case for the opinion in England or Ireland of the Supreme Court of Judicature, and in Scotland of either division of the Inner House of the Court of Session, on any question of law, and may also grant to either party such discovery as to documents and otherwise, or such inspection of documents, and in Scotland may grant such warrant for the recovery of documents and examination of havers, as might be granted by any court of law or equity; such discovery to be made on behalf of the society by such officer of the same as such court or Registrar may determine.

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52 & 53 Vict.,  
c. 48.

*Inspection of Affairs.*

- 50.—(1.) Upon the application of one-tenth of the whole number of members of the registered society, or of one hundred members in the case of a society exceeding one thousand members, the Chief Registrar, or, in the case of societies registered and doing business exclusively in Scotland or Ireland, the Assistant Registrar for Scotland or Ireland respectively, but with the consent of the Treasury in every case, may—
- Power to  
appoint  
inspectors.
- (a) appoint an inspector or inspectors to examine into and report on the affairs of such society; or
  - (b) call a special meeting of the society.
- (2.) The application under this section shall be supported by such evidence, for the purpose of showing that the applicants have good reason for requiring such inspection to be

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made or meeting to be called, and that they are not actuated by malicious motives in their application, and such notice thereof shall be given to the society, as the Chief Registrar shall direct.

- (3.) The Chief Registrar or such Assistant Registrar may, if he think fit, require the applicants to give security for the costs of the proposed inspection or meeting before appointing any inspector or calling such meeting.
- (4.) All expenses of and incidental to any such inspection or meeting shall be defrayed by the members applying for the same, or out of the funds of the society, or by the members or officers, or former members or officers of the society in such proportions as the Chief Registrar or such Assistant Registrar shall direct.
- (5.) An inspector appointed under this section may require the production of all or any of the books, accounts, securities, and documents of the society, and may examine on oath its officers, members, agents, and servants in relation to its business, and may administer an oath accordingly.
- (6.) The Chief Registrar or such Assistant Registrar may direct at what time and place a special meeting under this section is to be held, and what matters are to be discussed and determined at the meeting, and the meeting shall have all the powers of a meeting called according to the rules of the society, and shall in all cases have power to appoint its own chairman, any rule of the society to the contrary notwithstanding.

*Change of Name : Amalgamation : Conversion.*

Meaning of  
special  
resolution.

51.—For the purposes of this Act a special resolution shall mean a resolution which is—

(a) passed by a majority of not less than three-fourths of such members of a registered society for the time being entitled under the rules to vote as may have voted in person, or by proxy where the rules allow proxies, at any general meeting of which notice, specifying the intention to propose the resolutions, has been duly given according to the rules; and

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(b) confirmed by a majority of such members for the time being entitled under the rules to vote as may have voted in person, or by proxy where the rules allow proxies, at a subsequent general meeting of which notice has been duly given, held not less than fourteen days nor more than one month from the day of the meeting at which such resolution was first passed.

At any meeting mentioned in this section a declaration by the chairman that the resolution has been carried shall be deemed conclusive evidence of the fact.

52.—A registered society may, by special resolution, with the approval in writing of the Chief Registrar, or, in the case of societies registered and doing business exclusively in Scotland or Ireland, the Assistant Registrar for Scotland or Ireland respectively, change its name; but no such change shall affect any right or obligation of the society, or of any member thereof, and any pending legal proceedings may be continued by or against the society notwithstanding its new name.

Power to  
change name.

53.—(1.) Any two or more registered societies may, by special resolution of both or all such societies, become amalgamated together as one society, with or without any dissolution or division of the funds of such societies or either of them, and the property of such societies shall become vested in the amalgamated

Amalgamation  
and transfer of  
engagements.

A.D. 1898.

society without the necessity of any form of conveyance other than that contained in the special resolution amalgamating the societies.

- (2.) Any registered society may by special resolution transfer its engagements to any other registered society which may undertake to fulfil the engagements of such society.

Conversion of  
society into  
company.

54.—(1.) A registered society may by special resolution determine to convert itself into a company under the Companies Acts, or to amalgamate with or transfer its engagements to any such company.

- (2.) If a special resolution for converting a registered society into a company contains the particulars by the Companies Acts required to be contained in the memorandum of association of a company, and a copy thereof has been registered at the central office, a copy of such resolution under the seal or stamp of the central office shall have the same effect as a memorandum of association duly signed and attested under the said Act.

- (3.) If a registered society is registered as, or amalgamates with, or transfers all its engagements to, a company, the registry of such society under this Act shall thereupon become void, and the same shall be cancelled by the Chief Registrar or by the Assistant Registrar for Scotland or Ireland under his direction; but the registration of a society as a company shall not affect any right or claim for the time being subsisting against such society, or any penalty for the time being incurred by such society; and for the purpose of enforcing any such right, claim, or penalty, the society may be sued and proceeded against in the same manner as if it had not become registered as a company; and every such right or claim, or the liability to

such penalty, shall have priority, as against the property of such company, over all other rights or claims against or liabilities of such company.

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- 55.**—(1.) A company registered under the Companies Acts may, by a special resolution, determine to convert itself into a registered society, and for this purpose, in any case where the nominal value of its shares held by any member other than a registered society exceeds two hundred pounds, may, by such resolution, provide for the conversion of the excess of such share capital over two hundred pounds into a transferable loan stock bearing such rate of interest as may thereby be fixed, and repayable on such conditions only as are in such resolution determined.
- (2.) A resolution for the conversion of a company into a registered society shall be accompanied by a copy of the rules of the society therein referred to, and shall appoint seven persons, members of the company, who, together with the secretary, shall sign the rules, and who may either be authorised to accept any alterations made by the Registrar therein, without further consulting the company, or may be required to lay all such alterations before the company in general meeting for acceptance as the resolution may direct.
- (3.) With the rules a copy of the special resolution for conversion of the company into a registered society shall be sent to the Registrar, who, upon the registration of the society, shall give to it, in addition to the acknowledgment of registry, a certificate similarly sealed or signed that the rules of the society referred to in the resolution have been registered, but in the registered name of the company as a society the word “company” shall not be used.

Conversion of  
company into  
society.

A.D. 1906.

(4.) A copy of the resolution for the conversion of the company into a registered society under the seal of the company, together with the certificate so issued by the Registrar, shall be sent for registration to the office of the Registrar of Joint Stock Companies, and upon the registration of such resolution and certificate the conversion shall take effect.

(5.) Upon the conversion of a company into a registered society the registry of the company under the Companies Acts shall become void, and shall be cancelled by the Registrar of Joint Stock Companies; but the registration of a company as a registered society shall not affect any right or claim for the time being subsisting against the company, or any penalty for the time being incurred by such company, and, for the purpose of enforcing any such right, claim, or penalty, the company may be sued and proceeded against in the same manner as if it had not become registered as a society. And every such right or claim, and the liability to such penalty, shall have priority as against the property of such society over all other rights or claims against or liabilities of the society.

Registration  
of special  
resolutions.

56.—A copy of every special resolution for any of the purposes mentioned in this Act, signed by the chairman of the meeting at which the resolution was confirmed, and countersigned by the secretary of the society, shall be sent to the central office and registered there, and until that copy is so registered the special resolution shall not take effect.

Saving for  
rights of  
creditors.

57.—An amalgamation or transfer of engagements in pursuance of this Act shall not prejudice any right of a creditor of any registered society party thereto.

#### *Dissolution of Societies.*

Provisions as to  
dissolution of  
societies.

58.—A registered society may be dissolved—

(a) By an order to wind-up the society, or a resolution for the winding-up thereof, made as



is directed in regard to companies by the Companies Acts, 1862 to 1890, the provisions whereof shall apply to any such order or resolution, except that the term "Registrar" shall for the purpose of such winding-up have the meaning given to it by this Act; or

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- (b) By the consent of three-fourths of the members, testified by their signatures to an instrument of dissolution.

59.—Any proceedings in the winding-up of a registered society which at the passing of this Act are pending in any County Court may, on application made by or on behalf of the Registrar, with the consent of the Treasury, be transferred to the High Court, and thereupon the Companies (Winding-up) Act, 1890, shall, so far as applicable, apply thereto accordingly.

Transfer of winding up from County Court.

58 & 54 Vict., c. 63.

60.—Where a registered society is wound up in pursuance of an order or resolution the liability of a present or past member of the society to contribute for payment of the debts and liabilities of the society, the expenses of winding-up, and the adjustment of the rights of contributories amongst themselves, shall be qualified as follows :—

Liability of members in winding up.

- (a) No individual, society, or company, who or which has ceased to be a member for one year or upwards prior to the commencement of the winding-up, shall be liable to contribute ;
- (b) No individual, society, or company shall be liable to contribute in respect of any debt or liability contracted after he or it ceased to be a member ;
- (c) No individual, society, or company, not a member, shall be liable to contribute, unless it appears to the court that the contributions of the existing members are insufficient to satisfy the just demands on the society :

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- (d) No contribution shall be required from any individual, society, or company exceeding the amount, if any, unpaid on the shares in respect of which he or it is liable as a past or present member ;
- (e) An individual, society, or company shall be taken to have ceased to be a member, in respect of any withdrawable share withdrawn, from the date of the notice or application for withdrawal.

**Provisions as to instrument of dissolution.**      **61.—Where a society is terminated by an instrument of dissolution :—**

- (a) The instrument of dissolution shall set forth the liabilities and assets of the society in detail, the number of members and the nature of their interests in the society respectively, the claims of creditors (if any) and the provisions to be made for their payment, and the intended appropriation or division of the funds and property of the society, unless the same be stated in the instrument of dissolution to be left to the award of the Chief Registrar ;
- (b) Alterations in the instrument of dissolution may be made with the like consents as hereinbefore provided, and testified in the same manner ;
- (c) A statutory declaration shall be made by three members and the secretary of the society that the provisions of this Act have been complied with, and shall be sent to the Registrar with the instrument of dissolution ; and any person knowingly making a false or fraudulent declaration in the matter shall be guilty of a misdemeanor ;
- (d) The instrument of dissolution and all alterations therein shall be registered in the manner herein provided for the registry of rules, and shall be binding upon all the members of the society ;

(e) The Registrar shall cause a notice of the dissolution to be advertised at the expense of the society in the *Gazette* and in some newspapers circulating in or about the locality in which the registered office of the society is situated; and unless, within three months from the date of the *Gazette* in which such advertisement appears, a member or other person interested in or having any claim on the funds of the society commences proceedings to set aside the dissolution of the society in the County Court of the district where the registered office of the society is situate, and such dissolution is set aside accordingly, the society shall be legally dissolved from the date of such advertisement, and the requisite consents to the instrument of dissolution shall be considered to have been duly obtained without proof of the signatures thereto.

(f) Notice shall be sent to the central office of any proceeding to set aside the dissolution of a society, not less than seven days before it is commenced, by the person by whom it is taken, or of any other setting it aside, within seven days after it is made by the society.

*Offences, Penalties, and Legal Proceedings.*

62.—It shall be an offence under this Act if any registered society—

Offences by societies.

- (1.) Fails to give any notice, send any return or document, or do or allow to be done any act or thing which the society is by this Act required to give, send, do, or allow to be done; or
- (2.) Wilfully neglects or refuses to do any act or to furnish any information required for the purposes of this Act by the Chief or any other Registrar or other person authorised under this Act, or does any act or thing forbidden by this Act; or

A.D. 1898.

- (3.) Makes a return or wilfully furnishes information in any respect false or insufficient; or
- (4.) Carries on the business of banking when it has any withdrawable share capital, or in carrying on such business does not make out and keep conspicuously hung up such statement as is hereinbefore required, or makes any payment of withdrawable capital contrary to the provisions of this Act.

Offences by  
societies to be  
also offences by  
officers, &c.

**63.**—Every offence by a society under this Act shall be deemed to have been also committed by every officer of the same bound by the rules thereof to fulfil the duty whereof such offence is a breach, or, if there be no such officer, then by every member of the committee of the same, unless such member be proved to have been ignorant of or to have attempted to prevent the commission of such offence; and every act or default under this Act constituting an offence, if continued, shall constitute a new offence in every week during which the same continues.

Punishment of  
fraud or mis-  
appropriation.

**64.**—If any person obtains possession by false representation or imposition of any property of a society, or having the same in his possession withholds or misapplies the same, or wilfully applies any part thereof to purposes other than those expressed or directed in the rules of the society and authorised by this Act, he shall, on the complaint of the society, or of any member authorised by the society, or the committee thereof, or by the central office, or of the Chief Registrar or any Assistant Registrar by his authority, be liable on summary conviction to a fine not exceeding twenty pounds with costs, and to be ordered to deliver up all such property or to repay all moneys applied improperly, and, in default of such delivery or repayment, or of the payment of such fine, to be imprisoned, with or without hard labour, for any time not exceeding three months; but nothing in this section shall prevent any such person from being proceeded against by way of indictment, if not previously convicted of the same offence under this Act.

**65.**—If any person wilfully makes, orders, or allows to be made any entry or erasure in, or omission from, any balance sheet of a registered society, or any contribution or collecting book, or any return or document required to be sent, produced, or delivered for the purposes of this Act, with intent to falsify the same, or to evade any of the provisions of this Act, he shall be liable to a fine not exceeding fifty pounds.

A.D. 1893.

Penalty for falsification.

**66.**—If any officer of a registered society, or any person on its behalf, uses any seal purporting to be a seal of the society, whereon its name is not so engraved as aforesaid, or issues or authorises the issue of any notice, advertisement, or other official publication of the society, or signs or authorises to be signed on behalf of the society any bill of exchange, promissory note, endorsement, cheque, order for money or goods, or issues or authorises to be issued any bills of parcels, invoice, receipt, or letters of credit of the society, wherein its name is not mentioned in manner aforesaid, he shall be liable to a fine not exceeding fifty pounds, and shall further be personally liable to the holder of any such bill of exchange, promissory note, cheque, or order for money or goods for the amount thereof unless the same is duly paid by the society.

Penalty for not using name of society.

**67.**—It shall be an offence under this Act if any person, with intent to mislead or defraud, gives to any other person a copy of any rules, other than the rules for the time being registered under this Act, on the pretence that the same are existing rules of a registered society, or that there are no other rules of such society, or gives to any person a copy of any rules on the pretence that such rules are the rules of a registered society when the society is not registered.

Delivery of untrue rules.

**68.**—Every society, officer or member of a society, or other person, guilty of an offence under this Act for which no penalty is expressly provided herein, shall be liable to a fine not exceeding five pounds.

Penalties for ordinary offences.

A.D. 1898.  
—  
Recovery of  
penalties.

69.—(1.) Every fine imposed or to be imposed by this Act, or by any regulations under this Act, or by the rules of a registered society, shall be recoverable summarily.

(2.) Any such fine, if imposed by this Act or by any regulations thereunder, shall be recoverable at the suit of the Chief Registrar, or of any Assistant Registrar, or of any person aggrieved, and, if imposed by the rules of a registered society, shall be recoverable at the suit of the society.

Appeals from  
summary  
decisions.

70.—(1.) In England or Ireland any party may appeal to quarter sessions from any order or conviction made by a court of summary jurisdiction under this Act.

(2.) In Scotland any person may appeal from any order or conviction under this Act in accordance with the provisions of the Summary Jurisdiction (Scotland) Acts.

*Supplemental.*

Remuneration  
of county court  
officers.

71.—The registrar and high bailiffs of the County Courts shall be remunerated for the duties to be performed by them under this Act in such manner as the Treasury, with the consent of the Lord Chancellor, from time to time order and direct.

Public auditors.

72.—The Treasury may appoint public auditors for the purposes of this Act, and may determine the rates of remuneration to be paid by registered societies for the services of such auditors, but the employment of such auditors shall not be compulsory.

Fees.

73.—(1.) The Treasury may determine a scale of fees to be paid for matters to be transacted or for the inspection of documents under this Act.  
(2.) All fees received by any Registrar under or by virtue of this Act shall be paid into the Exchequer.

74.—(1.) The Treasury may make regulations respecting registry and procedure under this Act, and the forms to be used for such registry, and the duties and functions of the Registrar, and the inspection of documents kept by the Registrar under this Act, and generally for carrying this Act into effect.

A.D. 1935.  
Regulations for  
carrying out  
Act.

(2.) All such regulations shall be laid before both Houses of Parliament within ten days after the making thereof if Parliament is then sitting, or, if not then sitting, then within ten days from the then next assembling of Parliament.

(3.) Until otherwise provided by such regulations, the forms contained in the Fourth Schedule to this Act shall be used.

75.—Every copy of rules or other instrument or document, copy or extract of an instrument or document, bearing the seal or stamp of the central office, shall be received in evidence without further proof; and every document purporting to be signed by the Chief or any Assistant Registrar, or any inspector or public auditor under this Act, shall, in the absence of any evidence to the contrary, be received in evidence without proof of the signature.

Evidence of  
documents.

76.—Sub-sections six, seven, eight, and nine of section ten of the Friendly Societies Act, 1875, relating to the duties of the Chief Registrar and Assistant Registrars, shall, so far as the same are applicable to industrial and provident societies, be incorporated with this Act.

Duties of the  
Registrars.  
83 & 89 Vict.,  
c. 60.

77.—With respect to the Channel Islands this Act shall be varied as follows :—

Application of  
Act to Channel  
Islands.

(1.) As respects the island of Jersey, the following provisions shall have effect :—

(a) The term “ County Court ” shall mean the court for the recovery of petty debts in all cases in which the claim or demand shall not exceed the sum of ten pounds sterling, and in all other cases the inferior

A.D. 1898.

- number of the Royal Court of the said island, composed of the bailiff and two jurats of the said court ;
- (b) The term " court of summary jurisdiction " shall have in civil cases the same meaning as the term " County Court ;"
  - (c) All misdemeanors under this Act shall be prosecuted, tried, and punished in the form and manner prescribed by the law and custom of the said island with respect to crimes and offences (*crimes et délits*) ;
  - (d) All other offences and all penalties under this Act shall be prosecuted and recovered summarily before the magistrate of the court for the repression of minor offences, in all cases of his competency, at the suit or instance of the bailiff of the parish in which the offence or other unlawful act shall have been committed, and in all other cases before the bailiff and two jurats of the Royal Court, at the suit or instance of Her Majesty's Procurator-General for the said island ;
  - (e) All penalties recovered under this Act shall be paid to the officers who by the law and practice of the said island are entitled to receive fines levied by order of the said courts respectively, and shall by such officers be accounted for and paid to Her Majesty's Receiver-General in the said island on behalf of the Crown ;
  - (f) The powers conferred under this Act on two justices shall be exercised by the inferior number of the Royal Court of the said island ;
  - (g) All proceedings under this Act in any of the courts of the said island shall be regulated according to the ordinary practice of such courts respectively, and all penalties shall in default of payment be enforced in the same manner as fines payable to the Crown in the said island ;



- (h) The rules prescribed by the law of the said island with respect to appeals in civil and criminal cases shall be followed as to appeals from any orders, judgments, or convictions made in cases of summary jurisdiction under this Act ;
- (i) The term " the Companies Acts " shall mean the law for the time being in force in the said island for the regulation and winding-up of companies.
- (2.) As respects the bailiwick of the island of Guernsey :—
- (a) The Court of Primary Instance within the bailiwick shall have all such powers and authorities as are by this Act conferred either on justices of the peace or on judges of County Courts in England : Provided that a sentence may be appealed from it if the case admits of an appeal, under the Orders in Council now in force within the bailiwick, but that the decision of the Royal Court when sitting in a body as a court of appeal shall be final ;
- (b) When any sum of money becomes payable on the death of a member, such money shall, in default of any direction or nomination such as is contemplated by this Act, be paid to the deceased member's legal representative, according to the law of Guernsey ;
- (c) All Industrial and Provident Societies within the bailiwick shall be authorised to invest any part of their funds in the States bonds either of Guernsey or Alderney ;
- (d) The term " the Companies Acts " shall mean the law for the time being in force in the said bailiwick for the regulation and winding-up of companies ;

A.D. 1898.

- (e) All offences and penalties under this Act shall be prosecuted and recovered summarily before the court of primary jurisdiction at the suit or instance of the law officers of the Crown, or of a constable of a parish ;
- (f) All penalties recovered under this Act shall be paid to the Receiver-General, to be by him carried to the account of the Crown revenue.

Payment to  
representatives  
of deceased  
members in the  
Channel Islands

78.—In the Channel Islands, when any sum of money becomes payable on the death of a person entitled to make a nomination under this Act, such sum shall, in default of any nomination, be paid to the deceased member's legal representative according to the law of the island in which such deceased member was domiciled.

Definitions.

79.—In this Act, if not inconsistent with the context, the following terms shall have the meanings hereinafter respectively assigned to them :—

- “ The Registrar ” shall mean, for England, the central office established by the Friendly Societies Act, 1875, and, for Scotland or Ireland, the Assistant Registrar of Friendly Societies for either country respectively ;
- “ the central office ” shall mean the central office so established ; and “ Chief Registrar ” and “ Assistant Registrar ” shall mean Chief Registrar and Assistant Registrar of Friendly Societies respectively ;
- “ Land ” shall include hereditaments and chattels real, and in Scotland heritable subjects, of whatever description ;
- “ Property ” shall include all real and personal estate (including books and papers) ;
- “ Registered society ” shall mean a society registered or deemed to be registered under this Act ;

- “Amendment of rule” shall include a new rule, and a resolution rescinding a rule ;
- “Rules” shall mean the registered rules for the time being, and shall include any registered amendment of rules ;
- “The committee” shall mean the committee of management or other directing body of a society ;
- “Persons claiming through a member” shall include the heirs, executors, or administrators, and assigns of a member, and also his nominees where nomination is allowed ;
- “Officer” shall extend to any treasurer, secretary, member of the committee, manager, or servant, other than a servant appointed by the committee, of a society ;
- “Meeting” shall include (where the rules of a society so allow) a meeting of delegates appointed by members ;
- “Office” shall mean the registered office for the time being of a society ;
- “County Court” shall mean, for Scotland, the sheriff court of the county, and, for Scotland, “probate or letters of administration” shall mean confirmation in cases of testate succession, and testament dative in cases of intestate succession ;
- “Gazette” shall mean the *London Gazette* for England, the *Edinburgh Gazette* for Scotland, and the *Dublin Gazette* for Ireland.

80. The enactments specified in the First Schedule hereto are hereby repealed to the extent appearing in the third column of that schedule. Repeal

A. D. 1898.

## SCHEDULES.

Section 80.

### SCHEDULE I.

#### ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
39 & 40 Vict., c. 45.	The Industrial and Provident Societies Act, 1876	The whole Act.
43 Vict., c. 14	The Customs and Inland Revenue Act, 1880.	Section 8.
46 & 47 Vict., c. 47.	The Provident Nominations and Small Intestacies Act, 1883.	So much as relates to industrial and provident societies.

Section 10.

### SCHEDULE II.

#### MATTERS TO BE PROVIDED FOR BY THE RULES OF SOCIETIES REGISTERED UNDER THIS ACT.

1. Object, name, and registered office of the society.
2. Terms of admission of the members, including any society or company investing funds in the society under the provisions of this Act.
3. Mode of holding meetings, scale and right of voting, and of making, altering, or rescinding rules.
4. The appointment and removal of a committee of management, by whatever name, of managers or other officers, and their respective powers and remuneration.
5. Determination of the amount of interest, not exceeding two hundred pounds sterling, in the shares of the society which any member other than a registered society may hold.

6. Determination whether the society may contract loans or receive money on deposit, subject to the provisions of this Act, from members or others; and, if so, under what conditions, on what security, and to what limits of amount.

7. Determination whether the shares or any of them shall be transferable, and provision for the form of transfer and registration of the shares, and for the consent of the committee thereto; determination whether the shares or any of them shall be withdrawable, and provision for the mode of withdrawal and for payment of the balance due thereon on withdrawing from the society.

8. Provision for the audit of accounts, and for the appointment of auditors or a public auditor.

9. Determination whether and how members may withdraw from the society, and provision for the claims of the representatives of deceased members, or the trustees of the property of bankrupt members, and for the payment of nominees.

10. Mode of application of profits.

11. Provisions for the custody and use of the seal of the society.

12. Determination whether, and by what authority, and in what manner, any part of the capital may be invested.

### SCHEDULE III.

Sections 19, 43,  
44, 47.

#### FORM OF STATEMENT TO BE MADE OUT BY A SOCIETY CARRYING ON THE BUSINESS OF BANKING.

1. Capital of the society:—

- (a) Nominal amount of each share;
- (b) Number of shares issued;
- (c) Amount paid up on shares.

2. Liabilities of the society on the first day of January (or July) last previous:—

- (a) On judgments;
- (b) On specialty;
- (c) On notes or bills;
- (d) On simple contract.
- (e) On estimated liabilities.

3. Assets of the society on the same date:—

- (a) Government or other securities (stating them);
- (b) Bills of exchange and promissory notes;
- (c) Cash at the bankers;
- (d) Other securities.

A.D. 1898.

## FORMS OF BOND.

(1.) *In England or Ireland.*

(a) Know all men by these presents, that we, A.B., of  
 one of the officers of the  
 Limited, hereinafter referred to as "the  
 society," whose registered office is at  
 in the county of , and C.D., of  
 (as surety on behalf of the said A.B.), are  
 jointly and severally held and firmly bound to the said  
 society in the sum of to be paid to the  
 said society, or their certain attorney, for which payment  
 well and truly to be made we jointly and severally bind  
 ourselves, and each of us by himself, our and each of our  
 heirs, executors, and administrators, firmly by these presents.  
 Sealed with our seals. Dated the  
 day of

Whereas the above-bounden A.B. has been duly appointed  
 to the office of of the  
 Society, and he, together with the above-bounden C.D. as  
 his surety, have entered into the above-written bond, subject  
 to the condition hereinafter contained; Now therefore the  
 condition of the above-written bond is such, that if the said  
 A.B. do render a just and true account of all moneys  
 received and paid by him on account of the society, at such  
 times as the rules thereof appoint, and do pay over all the  
 moneys remaining in his hands, and assign and transfer or  
 deliver all property (including books and papers) belonging  
 to the society in his hands or custody to such person or  
 persons as the society or the committee thereof appoint,  
 according to the rules of the society, together with the  
 proper and legal receipts or vouchers for such payments,  
 then the above-written bond shall be void, but otherwise  
 shall remain in full force.

Sealed and delivered in the presence of

(b) Know all men by these presents that I  
 of , in the county  
 of , am firmly bound to  
 Limited, hereinafter referred to as "the society," whose  
 registered office is at , in the county of  
 , in the sum of pounds  
 sterling to be paid to the said society or their assigns, for  
 which payment to be truly made to the said society or their  
 certain attorney or assigns I bind myself, my heirs, executors,  
 and administrators, by these presents sealed with my seal.

Dated the                      day of                      18

to the society according to the rules thereof, then the above-contained bond shall be void and of no effect; but otherwise shall remain in full force.

[The words between brackets against which we have set  
our initials being first struck out\*] in the presence of us  
and

\* If no words are struck out in the bond or condition, strike out these words and let the witnesses set their initials in the margin.

A.D. 1908

(2.) *In Scotland.*

I, *A.B.*, of \_\_\_\_\_, hereby bind and oblige myself to the extent of £ \_\_\_\_\_ at most, as cautioner and surety for *C.D.*, a person employed by the \_\_\_\_\_ Society, that he, the said *C.D.*, shall on demand faithfully and truly account for all moneys received and paid to him for behoof of the said society, and also assign and transfer or deliver all property (including books and papers) belonging to the said society in his hands or custody, and that to such person or persons as the said society or the committee thereof appoint, according to the rules of the said society.

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_  
Signature of cautioner.

*E.F. of witness.**G.H. of witness.*

The above bond shall not require a testing clause or subscription clause.

FORMS OF RECEIPT TO BE ENDORSED ON MORTGAGE OR  
FURTHER CHARGE.

(1.) *In England or Ireland.*

A.—The \_\_\_\_\_ Limited hereby acknowledges to have received all moneys intended to be secured by the within (or above) written deed.  
Dated this \_\_\_\_\_ day of \_\_\_\_\_

} *Members*  
of the  
Committee.  
*Secretary.*

(2.) *In Scotland.*

B.—In the case of a heritable security other than by way of an *ex-facie* or other absolute conveyance :—

The \_\_\_\_\_ Limited acknowledges to have received all moneys intended to be secured by the bond and disposition in security, dated the \_\_\_\_\_, and recorded on the \_\_\_\_\_ in the register of Sasines for the sum of £ \_\_\_\_\_ granted by *A*, [insert name and designation] in favour of the said society.

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, one thousand eight hundred and ninety \_\_\_\_\_

} *Members*  
of the  
Committee.  
*Secretary.*

To be recorded with warrant of registration on behalf of [the person or persons entitled].



The \_\_\_\_\_ Limited hereby acknowledges that the disposition (or other conveyance), dated the \_\_\_\_\_, and recorded the \_\_\_\_\_ in the register of Sasines for \_\_\_\_\_ granted by A. [insert designation] (or by B. [insert designation] with consent of A.) in favour of the above-named society, was intended only as a security for a loan of £ \_\_\_\_\_ granted to A. by the said society, and for the interest, penalties, and others effeiring thereto ; and that all moneys intended to be thereby secured have been fully paid.

(To be completed and recorded as in Form B.)

The Limited hereby acknowledges to have received all moneys intended to be secured by the within (or above) written deed.

(To be completed as in Form B.)

(Receipts in the Forms B, C, or D shall not require a testing or subscription clause.

## Section 74.

The \_\_\_\_\_ Limited is registered under the Industrial and Provident Societies Act, 189\_\_\_\_\_, this day of \_\_\_\_\_

[Seal or stamp of central office, or signature of Assistant Registrar for Scotland or Ireland.]

The foregoing amendment of the rules of the  
Limited is registered under the Industrial and  
Provident Societies Act, 189 , this day of

[Seal or stamp of central office, or signature of  
Assistant Registrar for Scotland or Ireland.]

# THE TREASURY REGULATIONS, 1894.

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Printed by permission of the Controller of Her  
Majesty's Stationery Office.

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In pursuance of the powers vested in their Lordships by the above-mentioned statute, the Lords Commissioners of Her Majesty's Treasury make and approve of the following Regulations :—

## *Application to Register Societies or Amendments of Rules.*

S. 5 (2).

(1.) Every application to register a society under the Industrial and Provident Societies Act, 1893 (in these Regulations termed "the Act"), shall be in Form A subjoined to these Regulations, and shall be sent to the Registrar.

(2.) An amendment of the rules of a society may be either—

- (a) A partial amendment, consisting of the addition of a new rule or rules, or part of a rule or rules, to the existing rules, or the substitution of a new rule or rules, or part of a rule or rules, for any of the existing rules, or any part thereof, or a rescission of any of the existing rules, or any part thereof, without any substitution, or more than one or all of these modes ; or,
- (b) A complete amendment, consisting of the substitution of an entire set of rules for the existing set of rules, and bearing at the beginning the words "all previous rules rescinded."

(3.) An application to register a partial amendment of rules must be made by the secretary of the society, in Form B, and must be sent to the Registrar accompanied by a statutory declaration in Form C, and by a printed copy of the existing rules marked to show where the alterations occur, and what they are, and by the following documents:— S. 10 (3).

- (a) If the partial amendment consists of the addition or substitution of a new rule or rules, two copies of such new rule or rules, each copy being marked O, and signed by three members and the secretary.
- (b) If the partial amendment consists of the rescission of any of the rules without any substitution, two copies of the resolution for such rescission, each copy being marked O, and signed by three members and the secretary.

(4.) An application to register a complete amendment of rules must be made by the secretary of the society in Form D, and must be sent to the Registrar accompanied by a statutory declaration in Form C, and by a copy of the existing rules, and by two copies of the new rules, each copy being marked "P," and signed by three members and the secretary.

*Recording of Rules already Registered.*

(5.) An application to record in one part of the United Kingdom rules or amendments of rules registered in another shall be made by the secretary or other officer of the society in Form E or Ea, and shall be accompanied by two copies of such rules or amendments under the seal of the Central Office, or the signature of the Assistant Registrar for Scotland or Ireland, as the case may be. S. 5 (5).

(5a) Rules or amendments of rules shall be recorded by writing at the foot or end of each copy the word "recorded," and by affixing to the same the seal of the Central Office, or the signature of the Assistant Registrar for Scotland or Ireland, as the case may be.

*Cancelling and Suspension of Registry.*

S. 9 (1b).

(6.) Every request to cancel registry shall be sent to the Registrar in Form F, and shall name some newspaper circulating in or about the locality in which the registered office of the society is situated, wherein it is desired that the cancelling of registry shall be published, and shall be accompanied by the sum requisite to defray the expense of such publication, and by the further sum of 5s. 6d. for publication of such cancelling in the *Gazette*.

(7.) Where application is made to cancel registry under the compulsory powers of the Registrar, the Registrar may require such application to be made in duplicate in such form, and to be supported by such statutory declaration, as the Chief Registrar may direct, and shall transmit one copy of such application to the Treasury for their consent.

(8.) Notice before cancelling or suspension of registry shall be in Form G.

(9.) The cancelling of registry shall be in Form H, and the suspension or renewal of suspension of registry shall be in Form I.

(10.) The advertisement of cancelling or suspension shall be in Form J.

*Registered Office.*

S. 11.

(11.) Every notice of a change in the situation or the registered office of a society shall be sent to the Registrar within fourteen days after every such change, in Form K. Notice of the situation of the registered office of a society on first registry shall be deemed to be given by the rules.

*Inspection of Books by Order of the Registrar.*

S. 18.

(12.) Every application to the Registrar to appoint an accountant or actuary to inspect the books of a society shall be in Form L.

*Nominations.*

(13.) Every registered society shall keep a record <sup>s. 35</sup> or register of all nominations made by the members, and of all revocations and variations of the same, and for the recording or registering of every such nomination, revocation, or variation the rules of the society may require the member nominating to pay a sum not exceeding 3d.

*Transfer of Stock.*

(14.) Every application to the Chief Registrar to direct a transfer of stock shall follow as near as may be Form M, and shall be accompanied by a statutory declaration in Form N, or as near thereto as the facts admit, and by the certificate of the stock in respect of which the application is made. <sup>s. 36</sup>

(15.) Before making the application the society shall submit to the Chief Registrar for examination a draft copy on foolscap paper, written on one side only, of the proposed application and declaration.

(16.) The Chief Registrar, before directing the transfer, may require such further proof of any statement in the application as may seem to him to be necessary.

(17.) The Chief Registrar shall give his direction in Form O, so framed in each case as to suit the particular circumstances.

*Disputes.*

(18.) Every reference of a dispute to the Chief or Assistant Registrar shall be written on foolscap paper in duplicate in Form P. <sup>s. 46</sup>

(19.) Such Registrar, upon receipt of the reference, shall transmit one copy of it to the Treasury for their consent.

(20.) Every notice of hearing by the Chief or Assistant Registrar, and every requisition for the attendance of parties and witnesses, and the production of books and documents, shall be in Form Q.

(21.) Where it is necessary to enforce the attendance of a particular witness, or the production of a particular document, notice shall be in Form R.

(22.) If an order for discovery is necessary it shall be in Form S.

(23.) In Scotland, if a warrant for recovery of documents and examination of havers is necessary, it shall be in Form T or U.

(24.) The determination and order of the Chief or Assistant Registrar shall be in Form V, or as near thereto as the circumstances of the case may in his judgment allow.

*Inspectors and Special Meetings.*

s. 50.

(25.) An application for appointment of Inspectors or for calling a special meeting shall be sent to the Chief Registrar, or in the case of societies registered and doing business in Scotland and Ireland exclusively, to the Assistant Registrar for Scotland or Ireland, as the case may be, written on foolscap paper, *in duplicate*, in Form W, and shall be accompanied by a statutory declaration in Form X, signed by three at least of the applicants.

(26.) The Chief or Assistant Registrar may, immediately upon receipt of the application, transmit one copy to the Treasury for their consent, or may, before such transmission, give notice of the application to the society, and send to the Treasury any answer the society may make.

(27.) The appointment of Inspectors shall be in Form Y, or as near thereto as circumstances may allow.

(28.) The notice of special meeting shall be in Form Z.

(29.) The chairman of the special meeting shall report to the Chief or Assistant Registrar as he may direct in Form ZA.

*Special Resolutions.*

(30.) Every application for approval of change of name must be made in duplicate in Form AA, and must be sent to the Chief Registrar, or in the case of societies registered and doing business exclusively in Scotland or Ireland, to the Assistant Registrar for Scotland or Ireland, as the case may be, accompanied by a statutory declaration in Form AB. If approved of, the word "approved" shall be written at the foot or end of each such copy, and the same shall be signed by the Chief Registrar, or in the case of societies registered and doing business exclusively in Scotland or Ireland, by the Assistant Registrar for Scotland or Ireland, as the case may be. S. 52.

(31.) Every application to register a special resolution for the amalgamation of societies must be made by each of the societies in duplicate in Form AC, and must be sent to the Central Office, accompanied by statutory declarations from officers of each society in Form AB. No acknowledgment of registry shall be given to either society until special resolutions in the like terms have been submitted for registry by the other or others. S. 53.

(32.) Every application to register a special resolution for the transfer of the engagements of a society to another must be in duplicate in Form AD, and must be sent to the Central Office accompanied by statutory declarations in Forms AB and AE.

(33.) Every application to register a special resolution for converting a society into a company must be in triplicate in Form AF, and must be sent to the Central Office accompanied by a statutory declaration in Form AB. S. 54.

(34.) An application for registry of a special resolution for amalgamation with a company, or for transfer of engagements to a company, shall be *in duplicate* in Form AC or AD, as the case may be, with the necessary modifications to suit the facts, and shall be accompanied by statutory declarations in Forms AB and AG.

S. 56.

(35.) A special resolution shall be registered by writing at the foot or end of each copy of the same the word "registered," and by affixing to the same the seal or stamp of the Central Office.

(36.) Where the special resolution is for conversion into, amalgamation with, or transfer of all the engagements of a society to a company, the following words shall be added :—" The registry of the  
 " Society is hereby cancelled (or directed  
 " to be cancelled).

\_\_\_\_\_  
 Chief Registrar."

(37.) Where a special resolution is passed by a society registered and doing business exclusively in Scotland or Ireland it shall be sent to the Central Office through the Assistant Registrar for Scotland or Ireland, as the case may be. Where a special resolution is registered, passed by a society which is registered or does business in Scotland or Ireland, the Central Office shall forthwith apprise the Assistant Registrar for Scotland or Ireland, as the case may be, of the same having been so registered, and the Chief Registrar shall, where necessary, give directions for cancelling the registry of such society.

#### *Dissolution.*

S. 58.

(38.) Every instrument of dissolution shall be in Form AH, and shall be signed *in duplicate* and accompanied by a statutory declaration in Form AI and by a statement naming some newspaper circulating in or about the locality in which the registered office of the society is situated, wherein it is desired that



notice of the dissolution shall be published, and by the sum requisite to defray the expenses of such publication, and by the further sum of            for the like publication in the *Gazette*.

(39.) The Registrar shall return one of the duplicates to the society, with an acknowledgment of registry in Form AK.

(40.) Alterations in the instrument of dissolution shall be signed, declared to, and registered in like manner.

(41.) The advertisement of dissolution by instrument shall be in Form AL.

(42.) Every award of the Chief Registrar for distribution of funds shall be in Form AP.

(43.) The notice of a proceeding to set aside a dissolution shall be in Form AY, and the notice of an order setting aside a dissolution in Form AZ.

Where such notice relates to a society which is registered, and does business exclusively in Scotland or Ireland, it shall be sent to the Central Office through the Assistant Registrar for Scotland or Ireland, as the case may be. In all other cases where a society is registered, or does business in Scotland or Ireland, the Central Office shall forthwith apprise the Assistant Registrar for Scotland or Ireland, as the case may be, of the receipt of the same.

#### *Fees.*

(44.) The following fees shall be payable in advance <sup>s. 73.</sup> for matters to be transacted and the inspection of documents under the Act:—

	£	s.	d.
For the acknowledgment of registry of every amendment of the rules ...	0	10	0
For the registry of a special resolution by any society (to include, in the case of a change of name, the approval of the same) ...	0	10	0

	£	s.	d.
For a direction to transfer stock ...	1	0	0
For every appointment of inspectors, or calling of a special meeting by a Registrar ... ..	1	0	0
For the determination of a Registrar on a dispute, or for his award for dissolution or distribution of funds.	1	0	0
And if more than one hearing or adjournment become necessary, then £1 more for every hearing after the first, and for every adjournment.			
For every document (except as after- mentioned) required to be signed by a Registrar, or to bear the seal of the Central Office, not chargeable with any other fee to the Registrar.	0	2	6
For every inspection, on the same day, of documents (whether one or more) in the custody of the Registrar relating to one and the same society.	0	1	0
For every copy or extract of any document in the custody of the Registrar, not exceeding 216 words, 1s., and if exceeding that number 4d. per folio of 72 words (in addition to the fee, if any, for the signature of a Registrar, or seal of the Central Office).			

No fee is payable for the recording of rules or documents already registered in another part of the United Kingdom, or for the registry or recording of—

The rules of a society.

The cancelling or suspension of registry of a society.

Any notice of change of office.

Any instrument of dissolution, or any amendment therein.

Any document or copy of document supplied to a public department.

Any document in respect of which a fee is already chargeable, under or by virtue of the Act and of any other statute.

The Chief Registrar may also dispense with the fee for inspection of documents in cases where he may consider it for the public interest to do so.

(45.) Regulations 72, 73, and 74 of the Treasury Regulations, 1888, under the Friendly Societies Acts, with Form AV attached thereto, shall apply to the payment by Assistant Registrars for Scotland and Ireland of fees received by them by virtue of the Act or of these Regulations.

*Modification of Forms.*

(46.) The Forms hereto annexed may be modified to suit particular cases, by authority of the Chief Registrar.

(47.) The Chief Registrar may dispense with the obligation to supply a duplicate of any document, where such obligation is imposed only by the Regulations.

*January 1, 1894.*

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NOTE.—Where a provision is contained in more than one rule a reference should be made to each.

FORM A.—Reg. 1.

Industrial and Provident Societies Act, 1893.  
56 and 57 Vict., c. 39.

*Application to Register a Society.*

Name of society Limited.

To the Registrar of Friendly Societies.

Application to register a society under the above-mentioned Act, under the name of Limited,  
is made by the eight persons whose names are subscribed at the foot hereof.

1. The object, name, and registered office of the society are provided for in Rule No. [state number].

2. The terms of admission of members, including any society or company investing funds in the society under the provisions of the Act, are provided for in Rule No. [state number].

3. The mode of holding meetings and right of voting, and the manner of making, altering, or rescinding rules, are provided for in Rule No. [state number].

4. The appointment and removal of committee of management (by the name of ), of managers or other officers, and their respective powers and remuneration, are provided for in Rule No. [state number].

5. The determination of the amount of interest, not exceeding £200 sterling, in the shares of the society, which any member other than a registered society may hold, is provided for in Rule No. [state number].

6. The determination whether the society may contract loans or receive money on deposit, subject to the provisions of the Act, from members or others, and if so, under what conditions, on what security, and to what limits of amount, is provided for in Rule No. [state number].

7. The determination whether the shares or any of them shall be transferable, and the form of transfer and registration of the shares, and the consent of the committee thereto, and the determination whether the shares or any of them shall be withdrawable, and the mode of withdrawal, and the payment of the balance due thereon on withdrawing from the society, are provided for in Rule No. [state number].

8. The audit of accounts and the appointment of auditors or a public auditor are provided for in Rule No. [state number].

9. The determination whether and how members may withdraw from the society, and the claims of the representatives of deceased members or the trustees of the property of bankrupt members, and the payment of nominees, are provided for in Rule No. [state number].

10. The mode of application of profits is provided for in Rule No. [state number].

11. The custody and use of the seal of the society are provided for in Rule No. [state number].

12. The determination whether and by what authority and in what manner any part of the capital may be invested is provided for in Rule No. [state number].

18. The statutory duties of the society are set forth in Rule No. [state number].\*

**\* Model forms of rules for this purpose may be obtained from the Registrar.**

With this application are sent—

(a) Two printed copies of the rules, each marked A, and signed by each of the applicants.

Signature of Member.	Residence of Member.
1 _____	_____
2 _____	_____
8 _____	_____
4 _____	_____
5 _____	_____
6 _____	_____
7 _____	_____

8 \_\_\_\_\_ Secretary.

**Registered office,**

Date            day of            18            .

FORM B.—Reg. 8.

**Industrial and Provident Societies Act, 1893.**

**56 and 57 Vict., c. 89.**

### *Application to Register a Partial Amendment of Rules.*

Name of society Limited.

Register No. [If the Society is registered in Scotland or Ireland, add Scotland or Ireland, as the case may be].

**To the Registrar of Friendly Societies.**

Application to register a partial amendment of the rules  
of the Limited,  
is made by the person whose name is subscribed at the  
foot hereof.

With this application are sent—

- (a) A printed copy of the registered rules, marked to show where the alterations occur, and what they are ;
- (b) Two printed [*or written*] copies of the amendment, each marked O, and signed by the applicant and three members of the society ;
- (c) A statutory declaration of an officer of the society, that the amendment now submitted for registry has been duly made by the society, and that to the best of his knowledge and belief the same is not contrary to the provisions of the above-mentioned Act in that behalf.
- (d) The fee of 10s. prescribed by the Treasury Regulations.

Signed \_\_\_\_\_

Secretary.

Registered office,

Date                      day of                      18                      .

FORM C.—Regs. 3, 4.

Industrial and Provident Societies Act, 1893.

56 and 57 Vict., c. 89.

*Declaration in support of an Amendment of Rules.*

Name of society

Limited.

Register No.                      [*If the Society is registered in Scotland or Ireland, add Scotland or Ireland, as the case may be*].

County of

to wit.

I, \_\_\_\_\_ of \_\_\_\_\_  
an officer of the above-named society, do solemnly and sincerely declare that the amendment of the rules of the said society, a copy of which is hereto annexed, has been duly made by the society, and that to the best of my knowledge and belief the same is not contrary to the provisions of the Act above referred to.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Statutory Declarations Act, 1835.

\*Taken and received before me, one of  
Her Majesty's justices of the peace  
for the said county of \_\_\_\_\_  
at \_\_\_\_\_ in the \_\_\_\_\_  
said county, this \_\_\_\_\_ day  
of \_\_\_\_\_ 18 \_\_\_\_ .

} Signature of  
declarant.

\* This is to be altered as the case requires where any declaration is made before a borough magistrate or Commissioner for Oaths.

FORM D.—Reg. 4.

Industrial and Provident Societies Act, 1893.

56 and 57 Vict., c. 39.

*Application to Register a complete Amendment of Rules.*

Name of society

Limited.

Register No. [If the society is registered in Scotland or Ireland, add Scotland or Ireland, as the case may be].

To the Registrar of Friendly Societies.

Application to register a complete amendment of the rules of the \_\_\_\_\_ Limited, is made by the person whose name is subscribed at the foot hereof.

1. The object, name, and registered office of the society are provided for in Rule No. [state number].

2. The terms of admission of members, including any society or company investing funds in the society under the provisions of the Act, are provided for in Rule No. [state number].

3. The mode of holding meetings and right of voting, and the manner of making, altering, or rescinding rules, are provided for in Rule No. [state number].

4. The appointment and removal of a committee of management (by the name of \_\_\_\_\_), of managers and other officers, and their respective powers and remuneration, are provided for in Rule No. [state number].

5. The determination of the amount of interest, not exceeding £200 sterling, in the shares of the society, which any member other than a registered society may hold, is provided for in Rule No. [state number].

6. The determination whether the society may contract loans or receive money on deposit, subject to the provisions of the Act, from members or others, and if so, under what conditions, on what security, and to what limits of amount, is provided for in Rule No. [state number].

7. The determination whether the shares or any of them shall be transferable, and the form of transfer and registration of the shares and the consent of the committee thereto, and the determination whether the shares or any of them shall be withdrawable, and the mode of withdrawal, and the payment of the balance due thereon on withdrawing from the society are provided for in Rule No. [state number].

8. The audit of accounts, and the appointment of auditors or a public auditor are provided for in Rule No. [state number].

9. The determination whether and how members may withdraw from the society, and the claims of the representatives of deceased members or the trustees of the property of bankrupt members, and the payment of nominees, are provided for in Rule No. [state number].

10. The mode of application of profits is provided for in Rule No. [state number].

11. The custody and use of the seal of the society are provided for in Rule No. [state number].

12. The determination whether and by what authority any part of the capital may be invested is provided for in Rule No. [state number].

13. The statutory duties of the society are set forth in Rule No. [state number].\*

\* Model forms of rules for this purpose may be obtained from the Registrar.

With this application are sent :—

- (a) A printed copy of the registered rules, marked A ;
- (b) Two printed copies of the new rules proposed by way of complete amendment, each marked P, and signed by the applicant and three members of the society ;



(c) A statutory declaration of an officer of the society, that the amendment now submitted for registry has been duly made by the society, and that to the best of his knowledge and belief the same is not contrary to the provisions of the above-mentioned Act in that behalf.

(d) The fee of 10s. prescribed by the Treasury Regulations.

Signed,

\_\_\_\_\_  
Secretary.

Registered office,

Date

day of

18 .

FORM E.—Reg. 5.

Industrial and Provident Societies Act, 1898.

56 and 57 Vict., c. 89.

*Application to Record Rules Registered in another part of the United Kingdom.*

Name of society

Limited.

Register No. [Add England, Scotland, or Ireland, as the case may be].

To the Registrar of Friendly Societies.

Application to record the rules of the Limited is made by the secretary of the same.

1. The society carries [or intends to carry] on business in [Scotland, Ireland, or England, as the case may be] as well as in [England, Scotland, or Ireland] where the same is registered.

2. With this application are sent two printed [or written] copies of the rules of the society, such copies being under the seal of the Central Office [or under the signature of the Assistant Registrar for Scotland or Ireland].

Signed,

\_\_\_\_\_  
Secretary.

Registered office,

Date

day of

18 .

## FORM Ea.—Reg. 5.

**Industrial and Provident Societies Act, 1893.  
56 and 57 Vict., c. 39.**

*Application to Record Amendments of Rules already Recorded.*

Name of society **Limited.**

Register No. [Add England, Scotland, or Ireland,  
as the case may be].

Recorded in [Scotland, Ireland, or England,  
as the case may be]. No. .

To the Registrar of Friendly Societies.

Application to record an amendment of the rules of  
the Limited, is made by the secretary of  
the same.

1. The society carries on business in [Scotland, Ireland,  
or England, *as the case may be*] as well as in [England,  
Scotland, or Ireland] where the same is registered.

2. The rules of the society have been already recorded in  
[Scotland, Ireland, or England, *as the case may be*].

3. With this application are sent two printed [*or written*]  
copies of an amendment of such rules lately registered, such  
copies being under the seal of the Central Office [*or under*  
the signature of the Assistant Registrar for Scotland or  
Ireland].

Signed,

\_\_\_\_\_  
Secretary.

Registered office,

Date day of 18 .

## FORM F.—Reg. 6.

Industrial and Provident Societies Act, 1898.

56 and 57 Vict., c. 39.

*Request to Cancel Registry.*

Name of society

Limited.

Register No. [If the society is registered in Scotland  
or Ireland, add Scotland or Ireland, as the case may be.]

To the Registrar.

1. The above-mentioned society desires that its registry under the Industrial and Provident Societies Acts may be cancelled on the following ground, viz., [*state reason for desiring cancelling of registry,*] and at a general meeting\* duly held on the                      day of                      18 , it was resolved as follows:—

\* If not at a general meeting state in what manner the request has been determined upon.

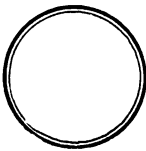
“That the Registrar be requested to cancel the registry of this society.”

2. This request is made by the society accordingly.

3. It is desired that notice of such cancelling be published in the [*naming some newspaper*] circulating in the county of [*naming county*] in which the registered office of the society is situated.

4. The sum of                      , being the cost of publishing such notice in the said newspaper, and the further sum of                      for the cost of publishing the same in the *Gazette*, are herewith transmitted.

Seal of the society.



\_\_\_\_\_  
Secretary.

Registered office,

Date

day of

18 .

## FORM G.—Reg. 8.

Industrial and Provident Societies Act, 1893.

56 and 57 Vict., c. 39.

*Notice before Cancelling or Suspension of Registry.*

Name of society

Limited.

Register No. [If the society is registered in Scotland  
or Ireland, add Scotland or Ireland, as the case may be.]

\* This will be  
not less than  
two months  
after the date of  
the notice.

Notice is hereby given to the above-mentioned society,  
that it is the intention of the Registrar to proceed on  
the\* day of 18, to cancel [or  
to suspend for any term not exceeding three months] the  
registry of the society, unless cause be shown to the  
contrary in the meantime.

The ground of such proposed cancelling [or suspension] is  
that the number of members of the society is reduced to less  
than seven or that the acknowledgment of registry has been  
obtained by fraud [or issued in mistake, or that the society  
exists for an illegal purpose, or has wilfully and after notice  
from a Registrar violated the provisions of the above-  
mentioned Act, or has ceased to exist. The facts should be  
briefly specified where practicable.]

Signature of Registrar [or Seal of Central Office.]

Date

day of

18 .

## FORM H.—Reg. 9.

Industrial and Provident Societies Act, 1893.

56 and 57 Vict., c. 39.

*Cancelling of Registry.*

Name of society

Limited.

Register No. [If the society is registered in Scotland  
or Ireland, add Scotland or Ireland, as the case may be.]

The registry of the above-mentioned society is hereby cancelled at its request [*or as the case may be. The Registrar may, if he thinks fit, add a statement, as in Form G, of the ground of the cancelling.*]

Signature of Registrar [*or Seal of Central Office.*]

Date \_\_\_\_\_ day of \_\_\_\_\_ 18 .

FORM I.—Reg. 9.

Industrial and Provident Societies Act, 1898.

56 and 57 Vict., c. 89.

*Suspension or Renewal of Suspension of Registry.*

Name of society \_\_\_\_\_ Limited.

Register No. \_\_\_\_\_ [*If the society is registered in Scotland or Ireland, add Scotland or Ireland, as the case may be.*]

The registry of the above-mentioned society is hereby [further\*] suspended for [*any term not exceeding*] three months from this date on the ground that [*here state the ground of suspension as in Form G.*]

\* This word will be inserted only in case of renewal of suspension.

Signature of Registrar [*or Seal of Central Office.*]

Date \_\_\_\_\_ day of \_\_\_\_\_ 18 .

FORM J.—Reg. 10.

*Advertisement of Cancelling or Suspension.*

Notice is hereby given that the Registrar of Friendly Societies has, pursuant to the Industrial and Provident Societies Act, 1898, this day CANCELLED [*or SUSPENDED for (state the term)*] the REGISTRY of the \_\_\_\_\_ Limited (Register No. \_\_\_\_\_, adding Scotland or Ireland where required), held at \_\_\_\_\_ in the county of \_\_\_\_\_

[*Here state the ground for Cancelling or Suspension.*]

The society (subject to the right of appeal given by the said Act) ceases to enjoy [during such suspension] the privileges of a registered society, but without prejudice to any liability incurred by the society, which may be enforced against it as if such cancelling [or suspension] had not taken place.

Dated the \_\_\_\_\_ day of \_\_\_\_\_ 18 .

Signature of a Registrar.

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FORM K.—Reg. 11.

Industrial and Provident Societies Act, 1893.

56 and 57 Vict., c. 39.

*Notice of Change of Registered Office.*

Name of society \_\_\_\_\_ Limited.

Register No. \_\_\_\_\_ [If the society is registered in Scotland or Ireland, add Scotland or Ireland, as the case may be].

Notice is hereby given that the registered office of the above-mentioned society is removed from \_\_\_\_\_, in the parish of \_\_\_\_\_, and is now situated at \_\_\_\_\_, in the parish of \_\_\_\_\_, in the county of \_\_\_\_\_.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 18 .

_____	} Three Members of the Society.
_____	
_____	

\_\_\_\_\_  
Secretary.

To the Registrar.

\* This part to be detached by the Registrar when the notice is registered, and returned to the society.

\* Received this \_\_\_\_\_ day of \_\_\_\_\_ notice of removal of the registered office of the \_\_\_\_\_, Limited, Register No. \_\_\_\_\_, to \_\_\_\_\_, in the county of \_\_\_\_\_.

[Seal of Central Office, or signature of a Registrar.]

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## FORM L.—Reg. 12.

Industrial and Provident Societies Act, 1898.

56 and 57 Vict., c. 39.

*Application for Inspection of Books.*

Name of society

Limited.

Register No. [If the society is registered in Scotland  
or Ireland, add Scotland or Ireland, as the case may be].

Application to the Registrar to appoint an accountant or actuary to inspect the books of the above-named society, and to report thereon, is made by the ten persons whose names are subscribed at the foot hereof, being ten members of the society, each of whom has been a member for not less than twelve months immediately preceding the date of the application.

The grounds of the application are as follows [state them].

The applicants are prepared to deposit with the Registrar the sum of \_\_\_\_\_ as security for the costs of the proposed inspection.

Signature of Member.	Residence of Member.
1 _____	_____
2 _____	_____
3 _____	_____
4 _____	_____
5 _____	_____
6 _____	_____
7 _____	_____
8 _____	_____
9 _____	_____
10 _____	_____

Address to which communications for the applicants are to be sent \_\_\_\_\_

Date

day of

18

## FORM M.—Reg. 18.

Industrial and Provident Societies Act, 1898.  
56 and 57 Vict., c. 89.

*Application for Direction to Transfer Stock.*

(To be accompanied by Form N.)

Name of society Limited.

Register No. [If the society is registered in Scotland or Ireland, add Scotland or Ireland, as the case may be.]

Application for a direction to transfer stock is made by the four persons whose names are subscribed at the foot hereof, being the secretary and three members of the above-mentioned society.

1. On the day of the  
sum of was invested in the purchase  
of stock transferable at the Bank  
of England [or Ireland] in the names [state exactly in what names the stock stands] of as trustees  
for the society, and the same is still standing in their names.

[This clause will not be necessary where the application is in consequence of the mere removal of a trustee.]

2. The said is absent from Great  
Britain [or Ireland] [or became bankrupt, on the  
day of , or filed a petition (or executed  
a deed) for liquidation of his affairs by assignment or  
arrangement or for composition with his creditors, on  
the day of , or has become  
a lunatic, or died on the day of  
or has not been heard of for years, and it is  
not known whether he is living or dead].

3. On the day of the  
said was removed from his office of  
trustee, and [give full name and  
description] was appointed in his place.

4. Since such removal application has been made in writing to the said [removed trustee] to join in the transfer of the said stock into the names of the said [here give the names of the other trustees, and of the new trustee appointed in the place of the one removed] as trustees for the said society, but he has refused to comply [or has not complied] with such application. [This paragraph may be omitted, or varied, as the facts require.]



5. This application to the Chief Registrar is made pursuant to 89 and 40 Vict., c. 45, s. 11, that he may direct the said stock to be transferred into the names of the said society by

[This blank should be filled by the names of the surviving or continuing trustees (if any), and if they be willing and able to make the transfer; but if there be no such trustee, or if any such trustee refuse or be unable to make the transfer, then by the words the Accountant General, or Deputy, or Assistant Accountant General of the said Bank; and a full statement of the facts and of the grounds of such refusal or inability should be made.]

6. With this application is sent the fee of £1 prescribed by the Treasury Regulations.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_ } Secretary.  
 \_\_\_\_\_ }  
 \_\_\_\_\_ } Members.  
 \_\_\_\_\_ }

Registered Office

Date                      day of                      18 .

To the Chief Registrar.

FORM N.---Reg. 14.

Industrial and Provident Societies Act, 1893.

56 and 57 Vict., c. 89.

*Declaration Verifying Statements in an Application for  
 Direction to Transfer Stock.*

County of                      to wit.

Name of society                      Limited.

Register No.                      [If the society is registered in Scotland  
 or Ireland, add Scotland or Ireland, as the case may be].

I,                      of                      , in the  
 county of                      do solemnly and sincerely  
 declare that I am the secretary of the above-mentioned  
 society.

That \_\_\_\_\_ and \_\_\_\_\_, whose names are subscribed at the foot of the application hereto annexed, are members of the said society.

That on the \_\_\_\_\_ day of \_\_\_\_\_ 18\_\_\_\_, the sum of \_\_\_\_\_ was invested in the purchase of stock, transferable at the Bank of England [or Ireland] in the names of (*state as in Form M*) \_\_\_\_\_ as trustees for the society, and the declarant believes that it is still standing in their names, as follows:—

That the said \_\_\_\_\_ is absent from Great Britain [*or as the case may be.*]

That on the \_\_\_\_\_ day of \_\_\_\_\_, 18\_\_\_\_, the said \_\_\_\_\_ was removed from his office of trustee, and \_\_\_\_\_ was appointed in his place.

That since such removal application has been made in writing to the said \_\_\_\_\_ to join in the transfer of the said stock into the names of the said \_\_\_\_\_ as trustees for the said society, but he has refused to comply [*or has not complied*] with such application. [*This paragraph may be omitted or varied as the facts require.*]

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Statutory Declarations Act, 1835.

<p>Taken and received before me, one of Her Majesty's justices of the peace for the said county of _____ at _____ in the said county, this day of _____ 18____.</p>	}	<p>Signature of declarant.</p>
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FORM O.—Reg. 17.

Industrial and Provident Societies Act, 1893.

56 and 57 Vict., c. 39.

*Direction by the Chief Registrar to Transfer Stock.*

Whereas it has been made to appear to me that stock, transferable at the Bank of England [or Ireland] is now standing in the names of \_\_\_\_\_ and \_\_\_\_\_ as trustees for \_\_\_\_\_ Limited, a society registered under the above-mentioned Act;

And that the said \_\_\_\_\_ is absent from  
England [*or as the case may be*];

And that \_\_\_\_\_ has been appointed trustee  
of the said society in place of the said \_\_\_\_\_ ;

\*(a) I, as Chief Registrar under the said Act, hereby  
direct, pursuant to Section 1 of the said Act, that  
the said sum of \_\_\_\_\_ so standing in  
the books of the Governor and Company of the Bank  
of England [*or Ireland*] in the names of the said  
\_\_\_\_\_ be transferred in the said  
books by the said \_\_\_\_\_ into the names  
of the said \_\_\_\_\_  
or \_\_\_\_\_ ;

\*The para-  
graphs marked  
(a) or (b) will be  
used as the case  
requires.

(b) And that there is no surviving or continuing  
trustee for the said society, *or* that the surviving  
and continuing trustees refuse *or* are unable to  
transfer the said stock in pursuance of my direction.

I, as Chief Registrar under the said Act, hereby direct,  
pursuant to Section 31 of the said Act, that the said sum of  
\_\_\_\_\_ so standing in the books of the Governor  
and Company of the Bank of England [*or Ireland*] be  
transferred in the said books by the Accountant-General, or  
Deputy, or Assistant Accountant-General of the said bank,  
into the names of the said \_\_\_\_\_ .

Signature \_\_\_\_\_

Address \_\_\_\_\_

Date \_\_\_\_\_ day of \_\_\_\_\_ 18 .

FORM P.—Reg. 18.

Industrial and Provident Societies Act, 1893.  
56 and 57 Vict., c. 39.

*Reference of a Dispute.*

(To be signed in duplicate.)

Dispute between \_\_\_\_\_ and [ \_\_\_\_\_  
an officer of] the \_\_\_\_\_ Limited.

Register No. \_\_\_\_\_ [*If the society is registered in Scotland  
or Ireland, add Scotland or Ireland, as the case may be*].

The above-named parties, by consent, refer the dispute between them to the Chief Registrar (or to the Assistant Registrar for Ireland, or for Scotland, *as the case may be*).

Signed,

\_\_\_\_\_ *Claimant.*

\_\_\_\_\_ *Officer of Society.*

The said \_\_\_\_\_ states as follows:—

1. That he is [*or has within six months been*] a member (*or claims through a member, or person aggrieved who, within six months, has been a member or under the rules*) of the said society.

2. That he claims to be entitled as follows (*give particulars of the claim*).

3. That the claim is proposed to be supported by the evidence of the following witnesses, and by the production of the following books and documents (*give list*).

Signature \_\_\_\_\_

Address \_\_\_\_\_

Date \_\_\_\_\_ day of \_\_\_\_\_ 18 .

The said society [*or the said* \_\_\_\_\_] as an officer of the said society] states as follows:—

1. That the society [*or he*] disputes the claim of the said \_\_\_\_\_ on the following grounds (*state grounds of dispute*).

4. That the case of the society [*or his case*] is proposed to be supported by the evidence of the following witnesses, and by the production of the following books and documents (*give list*).

Seal of society or signature of the officer.

Registered office \_\_\_\_\_

Date \_\_\_\_\_ day of \_\_\_\_\_ 18 .

With the reference is to be sent the fee of £1 prescribed by the Treasury Regulations.

## FORM Q.—Reg. 20.

Industrial and Provident Societies Act, 1898.  
56 and 57 Vict., c. 89.

*Notice and Requisition.*

Dispute between \_\_\_\_\_ and [ \_\_\_\_\_  
an officer of] the \_\_\_\_\_ Limited.

Register No. [Add Scotland or Ireland where required].

To

Take notice that I shall proceed by myself [or  
by \_\_\_\_\_ Assistant Registrar] to hear and  
determine the matter in dispute, which has been referred to  
me pursuant to the said Act, on the \_\_\_\_\_ day  
of \_\_\_\_\_ next, at \_\_\_\_\_ o'clock, at \_\_\_\_\_.

And that I shall require the attendance there of all parties  
concerned, and of the witnesses named, and the production  
of the books and documents specified in the statement made  
by you in the reference of the dispute.

Signature \_\_\_\_\_

Chief Registrar or Assistant Registrar  
for Scotland or Ireland.

Date \_\_\_\_\_ day of \_\_\_\_\_ 18 .

## FORM R.—Reg. 28.

Industrial and Provident Societies Act, 1898.  
56 and 57 Vict., c. 89.

*Special Requisition to Witness.*

Dispute between \_\_\_\_\_ and [ \_\_\_\_\_  
an officer of] the \_\_\_\_\_ Limited.

Register No. [Add Scotland or Ireland where required].

To

Pursuant to Section 49 of the above-mentioned Act, you  
are required to attend at \_\_\_\_\_ on \_\_\_\_\_ the

day of \_\_\_\_\_ next, at \_\_\_\_\_ o'clock,  
to give evidence relating to the matter in question, and to  
produce the following books and documents [*state them*].

Signed \_\_\_\_\_

Chief (*or* Assistant) Registrar.

Date \_\_\_\_\_ day of \_\_\_\_\_ 18 .

N.B.—By s. 49 (3) of the said Act it is enacted that “the Chief or other Registrar to whom any dispute is referred may administer oaths, and may require the attendance of all parties concerned, and of witnesses, and the production of all books and documents relating to the matter in question; and any person refusing to attend, or to produce any documents, or to give evidence before such Chief or other Registrar, shall be guilty of an offence under this Act.”

The penalty for such offence is not more than five pounds, and a new offence is committed in every week during which the default continues.

FORM S.—Reg. 25.

Industrial and Provident Societies Act, 1898.

56 and 57 Vict., c. 89.

*Order for Discovery.*

In the matter of a dispute between  
and [ \_\_\_\_\_ an officer of] the \_\_\_\_\_ Limited,  
Register No. \_\_\_\_\_, referred to me pursuant to the above-  
mentioned Act.

I, \_\_\_\_\_, Chief [*or* Assistant] Registrar,  
order and direct as follows:—

1. That within 14 days from the service of this  
order \_\_\_\_\_ do deposit at my office [*state where*]  
for inspection by the parties the following documents [*state  
the documents*].

2. That on the \_\_\_\_\_ day of \_\_\_\_\_ next,  
 at \_\_\_\_\_ o'clock [\* an officer of the society] do appear before me at my office above-named, and make discovery upon oath of all things within his knowledge [\*as such officer] relative to the following matters [*state the matters as to which discovery is granted*].

\* These words will be omitted if the discovery is to be made by the other party to the dispute.

Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_ 18 .

Signature \_\_\_\_\_

Chief [*or Assistant*] Registrar.

N.B.—By s. 49 (6) of the said Act it is enacted that the Chief or other Registrar to whom any dispute is referred may grant to either party such discovery as to documents and otherwise, or such inspection of documents, as might be granted by any court of law or equity, such discovery to be made on behalf of the society by such officer of the same as such Registrar may determine.

#### FORM T.—Reg. 23.

Industrial and Provident Societies Act, 1893.

56 and 57 Vict., c. 89.

#### *Order for Recovery of Documents in Scotland.*

In the matter of a dispute between  
 and [ \_\_\_\_\_ an officer of ] the \_\_\_\_\_ Limited.

Register No. \_\_\_\_\_ (Scotland).

I, \_\_\_\_\_, Assistant Registrar for Scotland,  
 order and direct as follows :—

That within 14 days from the service of this order \_\_\_\_\_ do deposit at my office [*state where*] for inspection by the parties the following documents [*state the documents*].

Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_ 18 .

Signature \_\_\_\_\_

Assistant Registrar for Scotland.

N.B.—By s. 49 (6) of the said Act it is enacted that the Chief or other Registrar to whom any dispute is referred in Scotland may grant such warrant for the recovery of documents as might be granted by any court of law or equity.

## FORM U.—Reg. 23.

Industrial and Provident Societies Act, 1898.

56 and 57 Vict., c. 89.

*Order for Recovery of Documents and Examination of  
Havers in Scotland.*

In the matter of a dispute between  
and [                      an officer of ] the                      Limited.

Register No.                      (Scotland).

I,                      , Assistant Registrar for Scotland,  
order and direct as follows :—

That on the                      day of                      next,  
at                      o'clock,                      do appear before  
me at                      , and do bring with him, exhibit and  
produce before me, upon oath, the books, writings, and  
documents contained in the specification prefixed hereto; and  
do declare upon oath where and in whose hands, custody, or  
keeping all or any books, writings, or documents are or may  
be relating to the following matters [*state the matters*] :

Given under my hand this                      day of                      18   .

Signature\_\_\_\_\_

Assistant Registrar for Scotland.

N.B.—By s 49 (3) of the said Act it is enacted that “the Chief or  
“other Registrar to whom any dispute is referred may administer  
“oaths, and may require the attendance of all parties concerned, and  
“of witnesses, and the production of all books and documents relating  
“to the matter in question; and any person refusing to attend, or to  
“produce any documents, or to give evidence before such Chief or  
“other Registrar, shall be guilty of an offence under this Act.”

The penalty for such an offence is not more than five pounds,  
and a new offence is committed in every week during which the  
default continues.

By s. 49 (6) the Chief or other Registrar in Scotland may grant  
such warrant for the recovery of documents and examination of havers  
as might be granted by any court of law or equity.



## FORM V.—Reg. 80.

Industrial and Provident Societies Act, 1898.

56 and 57 Vict., c. 89.

*Determination and Order.*

In the matter of a dispute between \_\_\_\_\_ and  
 [ \_\_\_\_\_ officer or] the \_\_\_\_\_ Limited,  
 Register No. \_\_\_\_\_ [add Scotland or Ireland where required],  
 referred to me pursuant to the above-mentioned Act :

I, \_\_\_\_\_, Chief (or Assistant) Registrar, determine  
 as follows :

The said \_\_\_\_\_ (or the society)  
 shall, on or before the \_\_\_\_\_ day of \_\_\_\_\_  
 next, pay to \_\_\_\_\_ the sum of \_\_\_\_\_ [or the  
 society (or name of party) shall, on or before the  
 day of \_\_\_\_\_ next, reinstate the said  
 as a member (or whatever the act may be that the Registrar  
 thinks ought to be done by the party. Other provisions may  
 here be added if necessary, and the payment of a sum of money  
 by way of damages may be provided for as an alternative to  
 the doing of any act)] ;

Or the society is not indebted to [name of party, or as the  
 case may require] .

The expenses hereof are ordered to be paid out of the  
 funds of the society (or as the case may be).

Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_ 18 .

Signature \_\_\_\_\_

Chief [or Assistant] Registrar.

N.B.—Under s. 49 of the above-mentioned Act, application for the  
 enforcement of this order may be made to the County Court, as  
 defined by the said Act.

## FORM W.—Reg. 25.

Industrial and Provident Societies Act, 1898.  
56 and 57 Vict., c. 89.

*Application under Special Powers of Registrar.*

(To be sent in duplicate, accompanied by Form X.)

Name of society

Limited.

Register No. [If the society is registered in Scotland or Ireland, add Scotland or Ireland, as the case may be].

Application made pursuant to Section 50 of the above-mentioned Act.

1. The above-mentioned society has members.
2. This application is signed by one tenth of the members [or by 100 members if the whole number exceeds 1,000].

\* If this is not the case, a line should be drawn through the words in brackets.

- \* [2a. The society is one registered and doing business in Scotland or Ireland exclusively, as the case may be.]
3. The application is that the Chief Registrar [or Assistant Registrar for Scotland, or for Ireland] may appoint an inspector or inspectors [or may call a special meeting] pursuant to the said Section.
4. The grounds of the application are as follows [state the grounds fully].
5. The applicants are prepared to support the application by the following evidence, for the purpose of showing that they have good reason for making the application, and are not actuated by malicious motives in doing so, viz., a statutory declaration hereto annexed by [names] three of the present applicants, and [here state the nature of the evidence proposed to be given].
6. The applicants are prepared, if required, to give security for costs to the extent of [state amount]. With this application is sent the fee of £1 prescribed by the Treasury Regulations.

† Signatures by mark only must be attested by a witness, not being one of the applicants.

† Signatures of applicants \_\_\_\_\_

Address to which communications are to be sent \_\_\_\_\_

Date

day of

18 .

## FORM X.—Reg. 25.

Industrial and Provident Societies Act, 1893.

56 and 57 Vict., c. 39.

*Declaration in support of Application under Special Powers of Registrar.*Name of society Limited.Register No. [If the society is registered in Scotland  
or Ireland, add Scotland or Ireland, as the case may be].County of to wit.

We, , and  
three of the members of the above-named  
 society, do solemnly and sincerely declare that the persons  
 whose signatures are appended to the application, a copy of  
 which is hereto annexed, are to the best of our knowledge  
 and belief *bonâ fide* members of the society, and that we are  
 not, nor to the best of our knowledge and belief is any person  
 whose signature is appended to such application, actuated by  
 malicious motives, and that to the best of our knowledge and  
 belief there is good reason for making such application.

And we make this solemn declaration, conscientiously  
 believing the same to be true, and by virtue of the provisions  
 of the Statutory Declarations Act, 1835.

Taken and received before me, one of Her Majesty's justices of the peace for the said county of at said county, this of	}	Signatures of declarants. , in the day
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## FORM Y.—Reg. 27.

Industrial and Provident Societies Act, 1893.

56 and 57 Vict., c. 39.

*Appointment of Inspectors.*Name of society Limited.Register No. [Add Scotland or Ireland where required].

Pursuant to Section 50 of the above-mentioned Act, I hereby appoint [and ]  
 inspector [or inspectors] to examine into the affairs of the above-mentioned society and to report thereon.

One copy of the application for inspection is sent herewith for the guidance of the inspector [or inspectors].

He [or they] may require the production of all or any of the books and documents of the society, and may examine on oath its officers, members, agents, and servants in relation to its business, and may administer such oath.

The inspection is to commence on the  
day of next, at  
 o'clock, and to be held at

Signature\_\_\_\_\_

Chief Registrar.

[or Assistant Registrar for Scotland  
 or Ireland.]

Date day of 18 .

## FORM Z.—Reg. 28.

Industrial and Provident Societies Act, 1893.

56 and 57 Vict., c. 39.

*Notice of Special Meeting to be held by a Registrar's  
 Direction.*

[To be given either by letter addressed to every member, or by advertisement, or in such other manner as the Chief or Assistant Registrar directs.]

Name of society Limited.

Register No. [If the society is registered in Scotland  
 or Ireland, add Scotland or Ireland, as the case may be].

Notice is hereby given that a special meeting of the above-mentioned society will be held by direction of the Chief Registrar [*or Assistant Registrar for Scotland or for Ireland*] pursuant to Section 50 of the above-mentioned Act, on the \_\_\_\_\_ day of \_\_\_\_\_ next, at \_\_\_\_\_ o'clock, at \_\_\_\_\_ which meeting shall appoint its own chairman, and shall then proceed to discuss and determine on the following matters [*state them*].

Signature \_\_\_\_\_

Chief Registrar.

[*or Assistant Registrar for Scotland or Ireland.*]

Date \_\_\_\_\_ day of \_\_\_\_\_ 18 .

FORM ZA.—Reg. 29.

Industrial and Provident Societies Act, 1898.

56 and 57 Vict., c. 89.

*Report by Chairman of Special Meeting.*

Address \_\_\_\_\_

Date \_\_\_\_\_

To the Chief Registrar of Friendly Societies [*or to the Assistant Registrar of Friendly Societies for Scotland or Ireland, as the case may be*].

I have to report that at the special meeting of the \_\_\_\_\_ Limited, held by your direction at \_\_\_\_\_ on \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_ the following resolution was [*or resolutions were*] passed [*state resolution or resolutions, and any other matters which the writer may think proper to report*].

Signed \_\_\_\_\_

Chairman of Special Meeting.

(To be sent in duplicate, accompanied by Form AB.)

*Application for Approval of Change of Name and Registry  
of Special Resolution.*

Name already registered Limited.

Register No. [If the society is registered in Scotland or Ireland, add Scotland or Ireland, as the case may be].

To the Chief Registrar [or Assistant Registrar for Ireland or Scotland, *as the case may be*] and Central Office.

Application for approval of a change of name of the above-mentioned society, and for registry of a special resolution to that effect is made by the society whose seal and the three persons whose names are affixed and subscribed at the foot hereof.

The following is a copy of a special resolution passed by the votes of three-fourths of the members present and entitled to vote at a general meeting of the society, of which notice was duly given, held on the \_\_\_\_\_ day of \_\_\_\_\_ 18\_\_\_\_, and confirmed by a majority of the members present and entitled to vote at a subsequent general meeting, of which notice was duly given, held on the \_\_\_\_\_ day of \_\_\_\_\_ 18\_\_\_\_, pursuant to Section 51 of the above-mentioned Act.

*[The resolution to be copied at length.]*

With this application is sent the fee of 10s. prescribed by the Treasury Regulations.

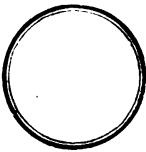
\* A line to be drawn through all or any of these statements if not applicable to the case, or so far as they do not apply.

*\*If the society is registered in England but does business also in Scotland or Ireland, or in both the said countries, add The society does business in Scotland or Ireland, or Scotland and Ireland as the case may be.*

*If the society is registered in Scotland but does business also in England or Ireland, add The society does business in England or Ireland, or England and Ireland, as the case may be.*

*If the society is registered in Ireland but does business also in England or Scotland, add The society does business in England or Scotland, or England and Scotland, as the case may be.*

Seal of the society.



\_\_\_\_\_  
Secretary.

\_\_\_\_\_  
Chairman of the first general meeting.

\_\_\_\_\_  
Chairman of the subsequent general meeting.

Registered office,

Date                      day of                      18 .

FORM AB.—Regs. 30, 31, 32, 33, 34.

Industrial and Provident Societies Act, 1898.  
56 and 57 Vict., c. 39.

*Declaration to accompany Application for Registry of a  
Special Resolution.*

County of                      to wit.

Name of society                      Limited.

Register No.                      [If the society is registered in Scotland  
or Ireland, add Scotland or Ireland, as the case may be].

I,                      of  
an officer of the above-named society, do solemnly and  
sincerely declare that in making the special resolution,  
application for registry of which is appended to this  
declaration, the provisions of Section 51 of the Industrial  
and Provident Societies Act, 1898, have been duly complied  
with.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Statutory Declarations Act, 1885.

Taken and received before me, one of Her Majesty's justices of the peace for the said county of _____ at _____, in the _____ said county, this _____ day of _____ 18 ____	}	Signature of declarant.
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FORM AC.—Regs. 81, 84.

Industrial and Provident Societies Act, 1893.  
 56 and 57 Vict., c. 89.

(To be sent in duplicate by each society, accompanied by  
 Form AB.)

*Application for Registry of Special Resolution for  
 Amalgamation of Societies.*

\* As this application must be made by each society, the order in which the societies are named must be inverted or changed in each application.

\*Name of society (A) \_\_\_\_\_ Limited.

Register No. \_\_\_\_\_ [If the society is registered in Scotland or Ireland, add the words Scotland or Ireland, or as the case may be].

Name of society (B) \_\_\_\_\_ Limited.

Register No. \_\_\_\_\_ [If the society is registered in Scotland or Ireland, add as before].

(And so on if more than two.)

To the Central Office.

Application for registry of a special resolution for the amalgamation of the above-mentioned societies is made by the society whose seal and the three persons whose names are affixed and subscribed at the foot hereof.

1. The following is a copy of a special resolution passed by the votes of three-fourths of the members present and entitled to a vote at a general meeting of the A

Limited, of which notice was duly given, held on the \_\_\_\_\_ day of \_\_\_\_\_ 18 \_\_, and confirmed by a majority of the members present and entitled to vote at a



subsequent general meeting, of which notice was duly given,  
held on the                      day of                      18                      , pursuant  
to Section 51 of the above-mentioned Act.

[*The resolution to be copied at length.*]

2. With this application is sent the fee of 10s. prescribed by the Treasury Regulations.

*If either or both societies, being registered in England, do business also in Scotland or Ireland, or in both the said countries, add—*

The (A)                      Limited, does business in Scotland or Ireland, or Scotland and Ireland, or

The (B)                      Limited, does business in Scotland or Ireland, or Scotland and Ireland, or

Both the societies do business in Scotland or Ireland, or Scotland and Ireland.

*If either or both societies, being registered in Scotland, do business also in England or Ireland, or England and Ireland, add—*

The (A)                      Limited, does business in England, or as the case may be, or

The (B)                      Limited, does business in England, or as the case may be, or

Both the societies do business in England, or as the case may be.

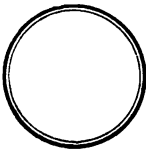
*If either or both societies, being registered in Ireland, do business also in England or Scotland, or England and Scotland, add—*

The (A)                      Limited, does business in England, or as the case may be, or

The (B)                      Limited, does business in England, or as the case may be, or

Both the societies do business in England, or as the case may be.

Seal of the society.



\_\_\_\_\_  
Chairman of the first general meeting.

\_\_\_\_\_  
Secretary of the first-named society.

\_\_\_\_\_  
Chairman of the subsequent general meeting.  
Registered office [*of the A*],

Date                      day of                      18 .

Form AD.—Regs. 32, 34.

Industrial and Provident Societies Act, 1893.

56 and 57 Vict., c. 39.

(To be sent in duplicate by each society, accompanied by  
Forms AB and AE.)

*Application for Registry of a Special Resolution for  
Transfer of Engagements.*

Name of society transferring its engagements  
Limited.

Register No. [If the society is registered in Scotland  
or Ireland, add Scotland or Ireland, as the case may be].

Name of society undertaking to fulfil transferred engage-  
ments Limited.

Register No. [If the society is registered in Scotland or  
Ireland, add as before].

To the Central Office.

Application for registry of a special resolution for transfer  
of engagements of the first-named society is made by the  
societies whose seals and the three  
persons whose names are affixed and subscribed.

1. The following is a copy of a special resolution passed  
by the votes of three-fourths of the members present and  
entitled to vote at a general meeting of the first-named  
society, of which notice was duly given, held the  
day of 18 , and confirmed by a majority  
of the members present and entitled to vote at a subsequent  
general meeting, of which notice was duly given, held on  
the day of 18 .

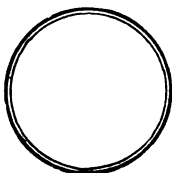
[The resolution to be copied at length.]

2. The last-named society has (state in what manner)  
undertaken to fulfil the engagements of the first-named  
society, as testified by the common seal and by the signature  
of the secretary of the said last-named society to this  
application, and by the declaration of an officer of the same  
sent with this application.

3. With this application is sent the fee of 10s. prescribed  
by the Treasury Regulations.

[If either or both societies, being registered in England, do business also in Scotland or Ireland, or in both the said countries, &c., add as the case requires.]

Seal of the first-named society.

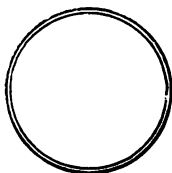


Chairman of the first general meeting.

Secretary of the first-named society.

Chairman of the subsequent general meeting.

Seal of the last-named society.



Secretary of the last-named society.

Registered office of transferring society

Date                      day of                      18 .

FORM AE.—Reg. 32.

Industrial and Provident Societies Act, 1898.

56 and 57 Vict., c. 39.

*Declaration by Officer of Society accepting Transfer of Engagements.*

County of                      to wit.

Name of society                      Limited.

Register No.                      [If the society is registered in Scotland or Ireland, add Scotland or Ireland, as the case may be].

I,                      of,                      , an officer of the above-named society, do solemnly and sincerely declare that by a resolution of a meeting of the society held on the                      day of                      at                      [or as the case may be, stating by what authority the transfer

is accepted] the society has undertaken to fulfil all the engagements of the \_\_\_\_\_ Limited. Register No. \_\_\_\_\_ [add Scotland or Ireland if required].

And I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the provisions of the Statutory Declarations Act, 1885.

Taken and received before me, one of Her Majesty's justices of the peace for the said county of _____ at _____, in the _____ said county, this _____ day of _____ 18____	}	Signature of declarant.
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Form AF.—Reg. 88.

Industrial and Provident Societies Act, 1898.

56 and 57 Vict., c. 89.

(To be sent in triplicate, accompanied by Form AB.)

*Application for Registry of Special Resolution for  
Conversion into a Company.*

Name of society \_\_\_\_\_ Limited.

Register No. \_\_\_\_\_ [If the society is registered in Scotland  
or Ireland, add Scotland or Ireland, as the case may be].

To the Central Office.

Application for registry of a special resolution for conversion of the above-mentioned society into a company is made by the society whose seal and the three persons whose names are affixed and subscribed at the foot hereof.

The following is a copy of a special resolution passed by the votes of three-fourths of the members present and entitled to vote at a general meeting of the said society, or which notice was duly given, held on the \_\_\_\_\_ day of \_\_\_\_\_ 18\_\_\_\_, and confirmed by a majority of the members present and entitled to vote at a subsequent general meeting, of which notice was duly given, held on the \_\_\_\_\_ day of \_\_\_\_\_ 18\_\_\_\_, pursuant to Section 54 of the above-mentioned Act.

[The resolution to be copied at length.]

**Secretary.**

**Registered office,**

Date                      day of                      18 .

**Industrial and Provident Societies Act, 1893.**  
56 and 57 Vict., c 39.

County of \_\_\_\_\_ to wit.  
Name of company \_\_\_\_\_ Limited.

I, \_\_\_\_\_, of \_\_\_\_\_, an officer of the above-named company, do solemnly and sincerely declare that by a resolution of a special general meeting of the company, held on the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_ [or as the case may be, stating by what authority the amalgamation is agreed to or the transfer of engagements accepted], the company has agreed to an amalgamation with [or undertaken to fulfil the engagements of] the \_\_\_\_\_ Limited, Reg. No. [add Scotland or Ireland, if required].

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Statutory Declarations Act, 1895,

Taken and received before me, one of  
Her Majesty's justices of the peace  
for the said county of \_\_\_\_\_  
at \_\_\_\_\_ in the \_\_\_\_\_  
said county, this \_\_\_\_\_ day  
of \_\_\_\_\_ 18 \_\_\_\_\_.

Signature of  
declarant.

## FORM AH.—Reg. 38.

## Industrial and Provident Societies Act, 1893.

56 and 57 Vict., c. 39.

*Instrument of Dissolution.*

(To be signed in duplicate, and accompanied by Form AI.)

Name of society

Limited.

Register No. [If the society is registered in Scotland or Ireland, add Scotland or Ireland, as the case may be].

Instrument of dissolution of the Limited,  
made the                      day of                      18                      , pursuant  
to the Act 56 and 57 Vict., c. 39, Section 61, and signed by  
threefourths of the members.

It is agreed and declared as follows :—

1. The liabilities and assets of the society are the following [here set them forth in detail].

2. The number of members is                      , and the nature of their interests in the society respectively is as follows :

3. The society has no creditors other than such members [or if there be any, state the amount due to them and the provision to be made for its payment].

4. The funds and property of the society shall be appropriated and divided in the following manner [or in such manner as the Chief Registrar may award. If left to the award of the Chief Registrar add The fee of £1 prescribed by the Treasury Regulations is sent herewith].

[Here insert any other provisions the society desires to make as to the dissolution.]

Signature of members.

Schedule.

List of members who have not signed the foregoing instrument—

N.B.—All signatures by mark only must be attested by a witness who does not sign as a member.

## FORM AI.—Reg. 38.

Industrial and Provident Societies Act, 1893.  
56 and 57 Vict., c. 39.

*Declaration to accompany Instrument (or Alteration of  
Instrument) of Dissolution.*

County of \_\_\_\_\_ to wit. \_\_\_\_\_ Limited.  
Name of society \_\_\_\_\_

Register No. \_\_\_\_\_ [If the society is registered in Scotland  
or Ireland, add Scotland or Ireland, as the case may be].

We \_\_\_\_\_, and \_\_\_\_\_, three  
members and \_\_\_\_\_ the secretary of the above-  
named society do solemnly and sincerely declare that in  
making the instrument of dissolution [or the alteration of  
the instrument of dissolution] appended to this declara-  
tion, the provisions of the Act 56 and 57 Vict., c. 39, have  
been complied with.

And we make this solemn declaration conscientiously  
believing the same to be true and by virtue of the provisions  
of the Statutory Declarations Act, 1835.

Taken and received before me, one of  
Her Majesty's justices of the peace for  
the said county of \_\_\_\_\_, Signatures of  
at \_\_\_\_\_, in the \_\_\_\_\_ declarants.  
said county, this \_\_\_\_\_ day  
of \_\_\_\_\_ 18 . )

## FORM AK.—Reg. 39.

Industrial and Provident Societies Act, 1893.  
56 and 57 Vict., c. 39.

*Acknowledgment of Registry of Instrument of  
Dissolution.*

Name of society \_\_\_\_\_ Limited.

Register No. \_\_\_\_\_ [Add Scotland or Ireland where required].

The foregoing instrument of dissolution [or alteration of  
instrument of dissolution] is registered under the Industrial  
and Provident Societies Act, 1893, this \_\_\_\_\_ day  
of \_\_\_\_\_ 18 .

[Seal or stamp of Central Office,

or,

Signature of Assistant Registrar  
for Scotland or Ireland.]

## FORM AL.—Reg. 41.

Industrial and Provident Societies Act, 1898.  
56 and 57 Vict., c. 39.

*Advertisement of Dissolution by Instrument.*

Notice is hereby given that the \_\_\_\_\_ Limited,  
Register No. \_\_\_\_\_ [add Scotland or Ireland where required],  
held at \_\_\_\_\_, in the county of \_\_\_\_\_,  
is dissolved by instrument, registered at this office,  
the \_\_\_\_\_ day of \_\_\_\_\_, unless within  
three months from the date of the *Gazette* in which this  
advertisement appears proceedings be commenced by a  
member or other person interested in or having any claim  
on the funds of the society to set aside such dissolution, and  
the same is set aside accordingly.

[Signature of a Registrar \_\_\_\_\_]

28, Abingdon Street,

[or as the case may be]

The \_\_\_\_\_ day of \_\_\_\_\_ 18 .

## FORM AP.—Reg. 42.

Industrial and Provident Societies Act, 1898.  
56 and 57 Vict., c. 39.

*Award for Distribution of Funds.*

Name of society \_\_\_\_\_ Limited.

Register No. \_\_\_\_\_ [Add Scotland or Ireland where required].

Pursuant to Section 61 of the above-mentioned Act, and to  
the instrument of dissolution of the above-named society,  
registered on the \_\_\_\_\_ day of \_\_\_\_\_ 18 ,  
I hereby award and direct that the assets of the society shall  
be divided and appropriated in the following manner:—

Signed \_\_\_\_\_

Chief Registrar.

Address \_\_\_\_\_

Date \_\_\_\_\_ day of \_\_\_\_\_ 18 .



## FORM AY.—Reg. 43.

Industrial and Provident Societies Act, 1893.  
56 and 57 Vict., c. 39.

*Notice of Proceeding to set aside Dissolution.*

Name of society \_\_\_\_\_ Limited.

Register No. \_\_\_\_\_ [If the society is registered in Scotland  
or Ireland, add Scotland or Ireland, as the case may be].

To the Central Office.

Whereas, on the \_\_\_\_\_ day of \_\_\_\_\_,  
the above-named society was dissolved or purported to be  
dissolved by an instrument of dissolution purporting to be  
duly registered.

I hereby give you notice that I intend after not less than  
seven days from the date hereof to take proceedings for  
setting aside such dissolution in the \_\_\_\_\_ County Court.

Dated \_\_\_\_\_ day of \_\_\_\_\_ 18 \_\_\_\_.

Signed \_\_\_\_\_

Address \_\_\_\_\_

## FORM AZ.—Reg. 43.

Industrial and Provident Societies Act, 1893.  
56 and 57 Vict., c. 39.

*Notice of Order to set aside Dissolution.*

Name of society \_\_\_\_\_ Limited.

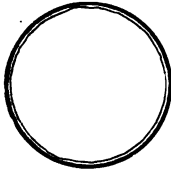
Register No. \_\_\_\_\_ [If the society is registered in Scotland  
or Ireland, add Scotland or Ireland, as the case may be].

To the Central Office.

Whereas, on the \_\_\_\_\_ day of \_\_\_\_\_,  
the above-named society was dissolved or purported to be  
dissolved by an instrument of dissolution purporting to be  
duly registered.

The above-named society hereby gives you notice that by  
 an order of the \_\_\_\_\_ County Court, dated  
 the \_\_\_\_\_ day of \_\_\_\_\_, copy whereof is  
 hereto annexed, the dissolution of the said society was  
 set aside.

Seal of the society,



Countersigned,

\_\_\_\_\_  
 Secretary.

Registered office,

Date \_\_\_\_\_ day of \_\_\_\_\_ 18 .

[This notice must be sent within seven days after the order to set  
 aside dissolution is made. A copy of the order is to be annexed.]

# All Co-operative Societies should join the Co-operative Union.

## WHAT IS THE CO-OPERATIVE UNION?

1. It is a federation of most of the Co-operative Societies of the United Kingdom, joined together for the purposes of propagandist and defensive action.

2 The Union watches over the interests of Co-operative Societies generally, and employs its propagandist agents in districts where Co-operation is unknown.

3. The services of solicitors are retained by the Union for the purpose of giving legal advice to those Societies whose circumstances require it.

4. Small and struggling Societies are helped and advised by the Members of the Board and the Officers of the Union.

5. The Union is governed by a Central and United Board, in connection with which are several special Committees organised for special work, viz.:—

- (a) An Educational Committee, whose work is to organise Co-operative Education.
- (b) A Committee on Production, to promote Co-operative Production.
- (c) A Joint Parliamentary Committee, to look after the interests of Co-operative Societies so far as they may be affected by Parliamentary action.
- (d) A Joint Propaganda Committee, whose special function is to work with the Wholesale Societies in forming Co-operative Societies under a "Special Propaganda Scheme."
- (e) A Joint Committee, acting with the Trade Union Parliamentary Committee, for the purpose of settling disputes in connection with Co-operative employment.
- (f) An International and Foreign Inquiry Committee, to open up communication with the Co-operators of other countries, and to obtain information regarding the development of the Co-operative Movement in other parts of the world.

The funds of the Co-operative Union are raised by subscriptions from the Societies which become joined to it. The subscription is fixed by rule at the rate of 2d. per member per annum.

The Union has now **1,135** Societies included in its membership, and these Societies have **1,724,961** members.

The Societies which remain outside the Union number **513**, and have **194,594** members.

---

***The Central Offices of the Union are at Long Millgate, Manchester; and there are Branch Offices at 71, St. James Street, S.S., Glasgow; 99, Leman Street, London; and West Blandford Street, Newcastle-on-Tyne.***

# THE Co-operative Union Limited.

## CO-OPERATIVE PAMPHLETS FOR FREE DISTRIBUTION.

The Co-operative Union Limited desires to remind the Societies and individual Co-operators who are anxious to aid in spreading a knowledge of the principles and practices by which this great social and industrial movement is distinguished, that it publishes, and has on hand, the following Pamphlets, at the prices annexed. Orders should be addressed to the GENERAL SECRETARY, LONG MILLGATE, MANCHESTER.

Any Society or person *unable to afford* to purchase these tracts, but willing to undertake that any number forwarded to them shall be judiciously distributed, may receive a **FREE GRANT** upon application as above. Sample parcels gratis.

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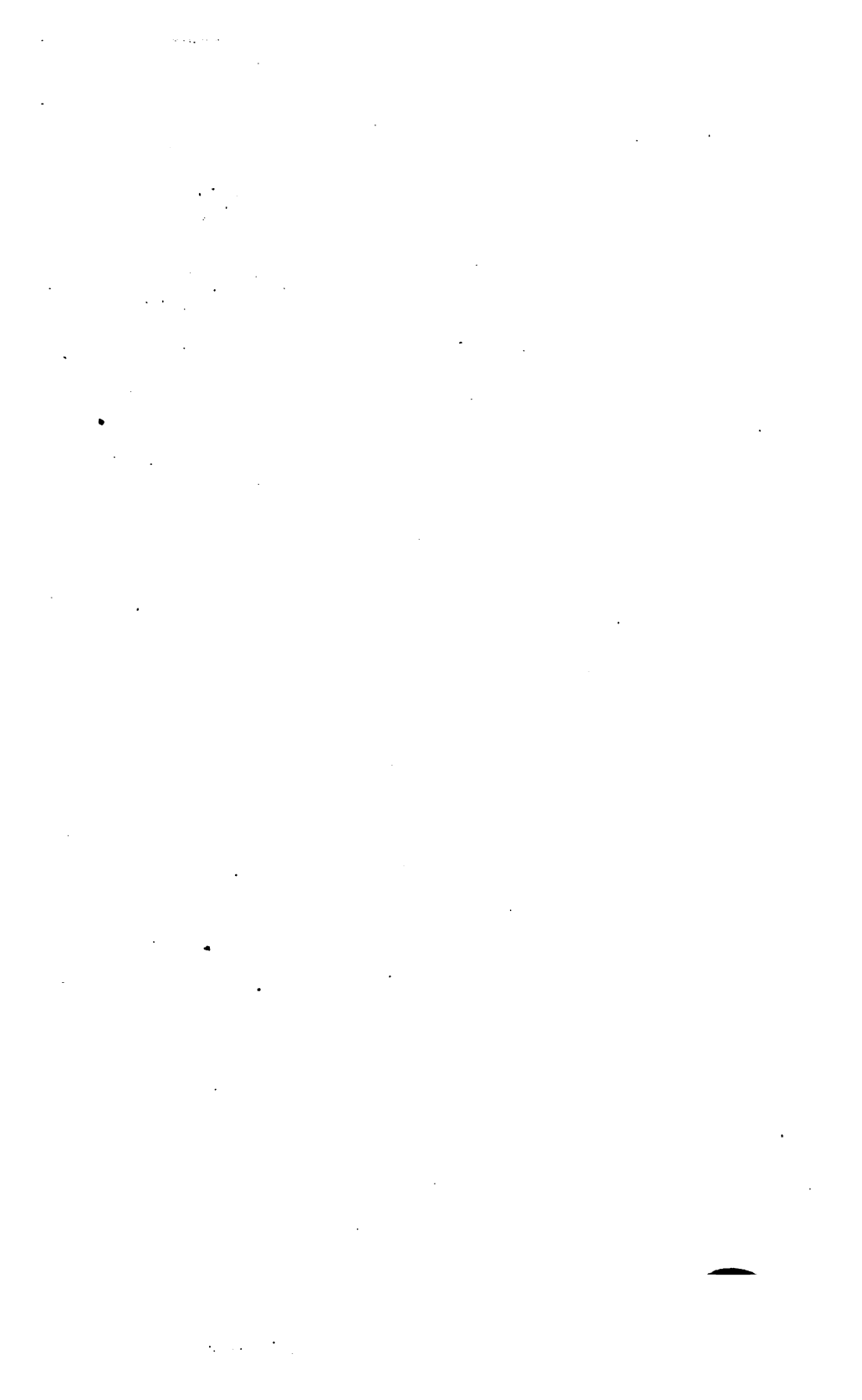
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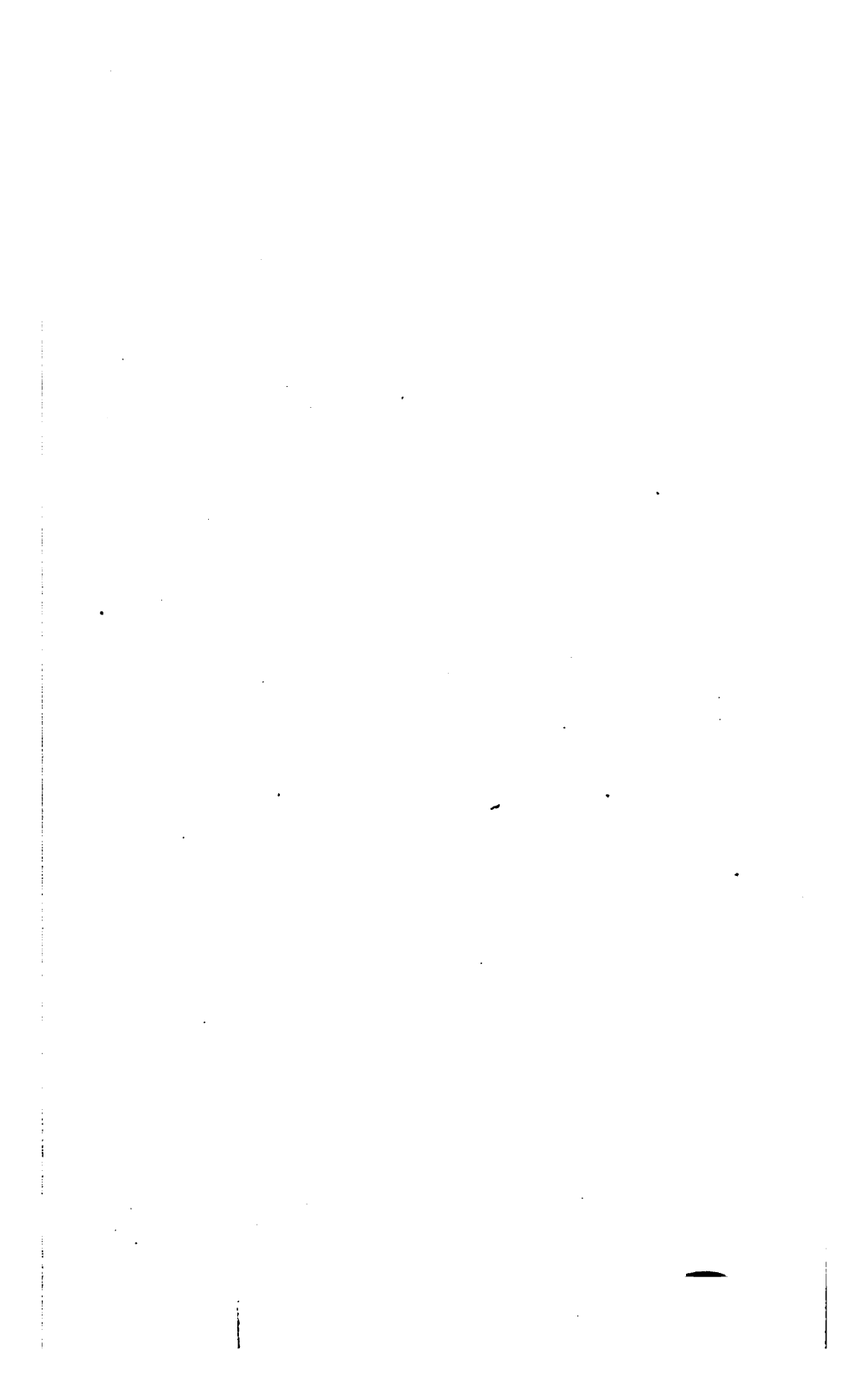
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